



(Ireland.)

A

B I L L

INTITULED,

An Act for the Regulation of Municipal Corporations and Borough Towns in Ireland.

[As returned by The Commons to The Lords, on the 17th June 1836, the Amendments made by The Commons to the Amendments made by The Lords being incorporated in the several Clauses of the Bill.]

WHEREAS divers Bodies Corporate at sundry times have been constituted within the Cities, Towns and Boroughs of Ireland, to the intent that the same might for ever be and remain well regulated and quietly governed; and it is expedient that the Charters by which the said Bodies Corporate are constituted should be altered in the manner hereinafter mentioned: And whereas it is expedient to provide for the better regulation of Cities and Borough Towns in Ireland, and to secure the efficient and impartial administration of justice therein: And whereas provision has been made by law for the establishment of a general system of Police throughout Ireland, and various Local Acts of Parliament have been from time to time passed for the regulation of several of the said Cities and Borough Towns: And whereas by an Act passed in the ninth year of the reign of King GEORGE the Fourth, intituled, "An Act to make Provision for the lighting, cleansing and watching of Cities, Towns Corporate and Market Towns in Ireland, in certain Cases," provisions are made for the appointment of Commissioners for lighting, watching, cleansing and paving of any Town in Ireland, the lighting, watching, cleansing or paving of which is not provided for by or under any local Act of Parliament; **BE** it therefore **ENACTED**, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by

Preamble.

9 G. 4, c. 82.

1.
 Repeal of all
 Acts, Char-
 ters and
 Customs in-
 consistent
 with this Act.

the Authority of the same, THAT so much of all Laws, Statutes and usages, and so much of all Royal and other Charters, Grants and Letters Patent, rules, orders and directions now in force relating to the several Boroughs named in the Schedules (A.), (B.) and (C.) to this Act annexed, or to the inhabitants thereof, or to the several Bodies or reputed or late Bodies Corporate named in the said Schedules, or any of them, as are inconsistent with or contrary to the provisions of this Act, shall be and the same are hereby repealed and annulled.

2.
 Reservation
 of all Rights
 of Property
 and beneficial
 Easements
 to Freeman,
 their Wives
 and Children.

And be it Enacted, That every person who now is or hereafter may be an inhabitant of any Borough named in the said Schedules, and also every person who has been admitted, or who, if this Act had not been passed, might hereafter, otherwise than by gift or purchase, have been admitted a Freeman or Burgess of any such Borough, or who now is or hereafter may be the wife or widow, or son or daughter of any Freeman or Burgess or of any such person, or who may have espoused or may hereafter espouse the daughter or widow of any Freeman or Burgess, or of any such person, or who has been or may hereafter be bound an apprentice to any such Freeman or Burgess, or any such person, shall have and enjoy and be entitled to acquire and enjoy the same share and benefit of the lands, tenements and hereditaments, and of the rents and profits thereof, and of the common lands and public stock of such Borough or Body Corporate, and of any lands, tenements, and hereditaments, and any sum or sums of money, chattels, securities for money, or other personal estate of which any person or any Body Corporate may be seised or possessed in whole or in part, for any charitable uses or trusts, as fully and effectually, and for such time and in such manner, as he or she, by any statute, charter, bye-law or custom in force at the time of passing this Act, might or could have had, acquired or enjoyed in case this Act had not been passed: Provided always, That the total amount to be divided amongst the persons whose rights are herein reserved in this behalf shall not exceed the surplus which shall remain after payment of the interest of all lawful debts chargeable upon the real or personal estate out of which the sums so to be divided have arisen, together with the salaries of Municipal Officers and all other lawful expenses which on the Fifth day of June One thousand eight hundred and Thirty-five were defrayed out of or chargeable upon the same: Provided also, That nothing hereinbefore contained shall be construed to apply to any claim, right or title of any Burgess or Freeman, or of any person, to any discharge or exemption from any tolls or dues levied wholly or in part by or to the use or benefit of any Borough or Body Corporate; and that after the passing of this Act no person shall have or be entitled to claim thenceforward

any

any discharge or exemption from any tolls or dues lawfully levied in whole or in part by or to the use of any Body Corporate, except as hereinafter is excepted: Provided nevertheless, That every person who on the said Fifth day of June One thousand eight hundred and Thirty-five was an inhabitant or was admitted or was entitled to be admitted a Freeman or Burgess of any such Borough or Body Corporate, or who on the said Fifth day of June was the wife or widow, son or daughter, of any Freeman or Burgess of any such Borough or Body Corporate, or who on the said Fifth day of June was bound an apprentice, shall be entitled to have or acquire and enjoy the same discharge or exemption from any tolls or dues lawfully levied, in whole or in part, by or to the use of any Body Corporate, as fully, and for such time and in such sort, as he or she, by any statute, charter, bye-law or custom in force on the said Fifth day of June might or would have had, acquired and enjoyed the same if this Act had not been passed, and no further or otherwise: Provided also, That where, by any statute, charter, bye-law or custom in force within any such Borough at the time of passing this Act, any person whose rights in this behalf are herein reserved would have been liable in case this Act had not been passed to pay any fine, fee or sum of money to any Body Corporate, or to any member, officer or servant of any Body Corporate, in consideration of his freedom, or of his or her title to such rights as are herein reserved, no such person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved as aforesaid until he or she shall have paid the full amount of such fine, fee or sum of money to the Treasurer of such Borough appointed under the provisions of this Act, on account of the Borough Fund, or to the Commissioners for the time being having the management of the Town Fund hereinafter mentioned, belonging to the town in which such Body Corporate shall have been constituted, on account of such fund, but if there shall be no such Borough or Town Fund, every such person shall be entitled to have or claim such share or benefit as aforesaid, without payment of any fine, fee or sum of money: Provided also, That nothing in this Act contained shall be construed to entitle any person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which if this Act had not passed would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled according to the provisions of this Act, or to strengthen, confirm or affect any claim, right or title of any Burgess or Freeman of any Borough or Body Corporate, or of any person, to the benefit of any such rights as are hereinbefore reserved, but the same in every case may be brought in question, impeached and set aside in like manner as if this Act had not been passed.

3.
No person to
be admitted a
Freeman by
Gift or Pur-
chase.

Provided always, and be it Enacted, That from and after the passing of this Act no person shall be elected, made or admitted a Burgess or Freeman of any such Borough or Body Corporate by gift or purchase.

4.
Corporations
to be styled
Mayor, Alder-
men and
Burgesses.

And be it Enacted, That after the first Election of Council- 5
under this Act in any Borough, the Body or reputed or late Body Corporate named in the said Schedules in connexion with such Borough, or if there be no such Body Corporate, the Inhabitants of such Borough, qualified as hereinafter mentioned, shall take and bear the name of the Mayor, Aldermen and Burgesses of such Borough, and by that name shall have perpetual succession, and shall be capable in law, by the Council hereinafter named of such Borough, to do and suffer all acts which such Bodies Corporate lawfully may do and suffer, and shall be entitled to, invested with and possessed of all the lawful rights, trusts, properties and estates now or of late 15
legally vested in or belonging or which of right ought to belong to such Boroughs or Bodies Corporate respectively, save only and except those vested in the charitable Trustees of such Boroughs, pursuant to the provisions hereinafter contained; and the Mayor of each of the said Boroughs shall be capable in law to do and suffer 20
all acts which the chief officer of such Borough might or may lawfully do and suffer, so far as such powers, rights, trusts, and privileges respectively are not altered or annulled by the provisions of this Act.

5.
Boundaries
of certain
Boroughs to
be those set-
tled by 2 & 3
W. 4, c. 89.

And be it Enacted, That after the passing of this Act the Metes 25
and Bounds of the several Boroughs named in the said Schedules (A.) and (B.) shall, for the purposes of this Act, be the same as the limits thereof respectively settled and described in an Act passed in the second and third years of the reign of His present Majesty, intituled, "An Act to settle and describe the Limits of Cities, Towns, 30
and Boroughs in Ireland, in so far as respects the Election of Members to serve in Parliament."

6.
Occupiers of
Houses and
Shops of the
value of 10*l*.
in Boroughs
named in
Schedule (A.),
and of the
value of 5*l*.
Boroughs
named in
Schedules
(B.) and (C.),
entitled to be
Burgesses, if
resident
within Seven
Miles.

And be it Enacted, That after the passing of this Act every man of full age who shall on the last day of August in any year be an inhabitant householder resident within any Borough named in the 35
said Schedule (A.), or within Seven statute Miles of the said Borough, and shall hold and occupy within such Borough any house, warehouse, counting-house, office or shop, which, either separately or jointly with any land within such Borough occupied therewith by him as tenant under the same landlord, or occupied 40
therewith by him as owner, shall be truly and really of the full yearly value of Ten Pounds or upwards, shall, if duly enrolled according to the provisions hereinafter contained, be a Burgess of such

such Borough, and member of the Body Corporate of the Mayor, Aldermen and Burgesses of such Borough: Provided always, That no such occupier shall be admitted to be enrolled under this Act unless he shall have occupied such premises within said Borough, or other premises of the like nature within the said Borough, really and truly of the full yearly value of Ten Pounds, for the space of Six calendar Months at the least next preceding such enrolment, nor unless such occupier shall have paid or discharged all such Grand Jury and municipal cesses, rates and taxes, if any, which shall have become legally due and payable by him in respect of such premises, except such as shall have been imposed or become due within Three calendar Months next before such enrolment: Provided that in every case provided in this Act the distance of Seven Miles shall be computed by the nearest public road or way by land or water; provided that no person, being an alien, shall be so enrolled in any year, and that no person shall be enrolled who, within Twelve calendar Months next before the said last day of August, shall have received any pension or charitable allowance from any Fund intrusted to the charitable Trustees of such Borough hereinafter mentioned, other than medical or surgical assistance; and provided that no person shall be disqualified from being enrolled as a Burgess by reason that any child of such person shall have been admitted and taught within any public or endowed school.

And he it Enacted, That where any house, warehouse, office, counting-house or shop in any Borough shall come to any person by descent, marriage, marriage settlement, devise or promotion to any benefice or office, such person shall be entitled to reckon the holding and occupancy thereof by the person from or by whom such house, warehouse, office, counting-house or shop shall have so come to him as his own holding and occupancy, conjointly with the time during which he shall have since held and occupied the same, and shall be entitled to be enrolled a Burgess in respect of such successive holding and occupancy, provided he shall be otherwise qualified as herein provided.

7.
In case of
Titles by
descent, &c.
how the
occupancy
is to be
reckoned.

And be it Enacted, That if any person who shall have been enrolled a Burgess of any Body Corporate within any Borough according to the provisions of this Act shall at any time thereafter cease to hold and occupy a house, warehouse, office, counting-house or shop within the Borough, or cease to be an inhabitant householder within the same or within Seven Miles thereof, or neglect or refuse to pay such cesses, rates and taxes as aforesaid, due from him at the time of the revision of the Burgess Roll, except as hereinbefore is excepted, his name shall at the then next revision of the Burgess Roll be struck out from the said Burgess Roll, and he shall there-

8.
Burgesses
who cease to
be Occupiers
within the
Borough, or
neglect to pay
their Rates, to
be omitted
from the Bur-
gess Roll, but
may be re-
stored at any
subsequent
revision of the
Burgess Roll.

upon cease to be a Burgess and member of the said Body Corporate: Provided nevertheless, That at any future revision of the Burgess Roll he shall be entitled again to be and be enrolled a Burgess and member of the said Body Corporate, when he shall be duly qualified as herein provided.

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9.
No Burgess
to be elected
who is not
qualified under
this Act.

And be it Enacted, That after the passing of this Act no person shall be elected or enrolled a Burgess of any Borough for the purpose of enjoying the rights conferred for the first time by this Act in respect of any right or title other than by residence, occupancy and payment of cesses, rates and taxes within such Borough, according to the meaning and provisions of this Act; and from and after the passing of this Act no person shall be elected, made or admitted a Burgess or Freeman of any Borough by gift or purchase.

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10.
Persons who
before the
passing of this
Act would
have been
entitled to
vote for Mem-
bers of Par-
liament may
still enjoy
such right.

AND whereas the right of voting in the election of Members to serve in Parliament was, by an Act passed in the second and third years of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People of Ireland," preserved to all Freemen, Freeholders and persons who by reason of any corporate or other right were then by law entitled to vote at the election of a Member or Members to serve in Parliament for any City, Town or Borough, and all persons who, by reason of birth, marriage or service, or of any statute then in force, should be at any time thereafter admitted to their freedom in any city, town or borough, subject to the conditions and provisions in that Act contained; BE it Enacted, That all persons now entitled to vote at the Election of a Member or Members to serve in Parliament for any city, town or borough, shall continue to enjoy such right as fully as if this Act had not been passed; and that every person who if this Act had not been passed would have enjoyed or might hereafter have acquired, in respect of birth or marriage, or servitude as a Freeman, the right of voting in the Election of a Member or Members to serve in Parliament for any City, Town or Borough, shall be entitled to acquire and enjoy such right of voting as fully as if this Act had not been passed, notwithstanding he shall not have been admitted to the freedom, or his name have been placed on the Roll; and the provisions and directions contained in the said Act of the second and third years of the reign of His present Majesty, and in any other Act or Acts of Parliament now in force for registering persons as voters, and for claiming and determining the right to be registered, shall extend and be applied to every such person, notwithstanding he shall not have been admitted to his freedom, in like manner as the same would have been applicable to him if he had been admitted to his freedom.

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And

And be it Enacted, That on or before the Fifth day of September in this year the Churchwardens of every parish wholly or in part within any Borough shall make out an alphabetical List, according to the Form Number 1 in the Schedule (D.) to this Act annexed, of all persons, with their respective residences, who shall be entitled to be enrolled in the Burgess Roll according to the provisions of this Act in respect of property within such Parish and Borough, and shall sign such List, and deliver the same, on the said Fifth day of September, to the Town Clerk, or person acting as such, and if there shall be no Town Clerk, to the Mayor, Provost or other chief officer of the Corporate Body, or the person acting as such, and when there shall be no such officer, then to the person appointed by the Lord Lieutenant as hereinafter directed, and shall keep a true copy of such List, to be perused by any person, without payment of any fee, at all reasonable hours between the said Fifth and the Fifteenth day of September aforesaid.

11.
Churchwardens of each Parish to make out Lists in this present year of persons qualified to Burgess in each Borough.

And be it Enacted, That in extra-parochial places and in parishes where there is no Churchwarden, or where the Churchwarden may be absent or incapable of acting, the Lord Lieutenant shall appoint, by writing under his hand, a proper person to perform the duty of Churchwarden under this Act, and the acts of such person shall be as valid as if done by a Churchwarden.

12.
Extra-parochial Places, &c.

And be it Enacted, That on or before the Fifth day of September in every succeeding year the Town-clerk of such Borough shall make out an alphabetical List, according to the said Form Number 1 in the Schedule (D.) to this Act annexed, of all persons who shall be entitled to be enrolled in the Burgess Roll of that year within such Borough, and shall sign such List, and shall on that day deliver a true copy of such List signed by himself, to the Mayor of such Borough, and shall himself keep such original List to be perused by any person without payment of any fee at all reasonable hours between the Fifth and Fifteenth days of September in every year; and the Town Clerk shall forthwith cause copies to be printed of all lists delivered to him by the Churchwardens, and of all Lists made out by himself or under his direction, and shall deliver a copy of all such Lists to any person requiring the same, on payment of a sum of One Shilling for each copy, and shall cause a copy of all such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within the Borough on every day during the week next preceding the Fifteenth day of September in every year: Provided always, That in any Borough in which there shall be no Town Clerk, or in which the Town clerk shall be incapable of acting, all matters by this Act required to be done by and with regard to the Town Clerk shall be done by and with regard

13.
Town Clerks to make out Lists in Boroughs.

to the person executing duties in such Boroughs similar to those of Town Clerk; and if there be no such person, or if such person shall be incapable of acting, then by and with regard to such fit person as the Mayor of such Borough shall appoint in that behalf.

14-
Persons
omitted from
the Lists to
give Notice
to the Town
Clerk.

Notice as to
Persons not
entitled to be
returned in
the Lists.

Lists of
Claimants,
and of Persons
objected to, to
be published,
&c.

And be it Enacted, That every person whose name shall have been omitted in any such List, and who shall claim to have his name inserted on the Burgess Roll shall, on or before the Fifteenth day of September in every year, give notice thereof to the Town Clerk in writing, according to the Form Number 2 in the said Schedule (D.), or to the like effect; and every person whose name shall have been inserted in any such List for any Borough may object to any other person as not being entitled to have his name retained in the Burgess Roll for the same Borough; and every person so objecting shall, on or before the Fifteenth day of September in every year, give to the Town Clerk of such Borough, and also to the person objected to, or leave at the premises in respect of which his name shall have been inserted in such List, notice thereof in writing, according to the Form Number 3 in the said Schedule (D.), or to the like effect; and every Town Clerk shall include the names of all persons so claiming in a List according to the Form Number 4 in the said Schedule (D.), and the names of all persons so objected to in a List according to the Form Number 5 in the said Schedule (D.), and shall cause copies of such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within such Borough, during the Eight days next preceding the First day of October in every year; and the Town Clerk shall likewise keep a copy of the names of all the persons so claiming as aforesaid, and also a copy of the names of all persons so objected to as aforesaid, to be perused by any person without payment of any fee at all reasonable hours during the Eight days, Sunday excepted, next preceding the First day of October in every year, and shall deliver a copy of each of such Lists to any person requiring the same on payment of a sum not exceeding One Shilling for each copy.

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Mayor to
revise Lists,
and upon due
proof to insert
and expunge
Names.

And be it Enacted, That the Barrister appointed as hereinafter stated in the present year, and the Mayor of every Borough and the Two Assessors hereinafter mentioned in every succeeding year, shall hold an open Court within such Borough for the purpose of revising the said Lists, at some time between the First day of October inclusive and the Fifteenth day of October inclusive in every year, having first given Three clear Days' Notice of the holding of such Court, to be fixed on or near the door of the Town Hall, or in some public and conspicuous situation within the Borough; and the Town Clerk of every such Borough shall at the opening of the

the Court produce the said Lists before him, and a copy of the Lists of the persons claiming and of the persons objected to, so made out as aforesaid; and the several Churchwardens for the present year of every parish wholly or in part within every such Borough shall attend the Court to be holden in this present year; and such Town Clerk and Churchwardens respectively shall answer upon oath all such questions as the Court may put to them or any of them touching any matter necessary for revising the said Lists; and the Mayor shall insert in such Lists the name of every person who shall be proved to the satisfaction of the Court to be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, and shall retain on the said Lists the names of all persons to whom no objection shall have been duly made and sustained; and where the name of any person inserted in any one of the said Lists shall have been duly objected to, and the person objecting shall appear by himself or by some one on his behalf in support of such objection, the Court shall require proof of the qualification of the person so objected to, and in case the qualification of such person shall not be proved to the satisfaction of the Court, the Mayor shall expunge the name of every such person from the said Lists; and he shall also expunge from the said Lists the name of every person who shall be proved to be dead, and shall correct any mistake or supply any omission which shall be proved to have been made in any of the said Lists in respect to the name or place of abode, or local description of the property of any person who shall be included in any such List: Provided always, That no person's name shall be inserted by the Mayor in any such List, or shall be expunged therefrom, except in the case of death, unless notice shall have been given as is hereinbefore required in each of the said cases: Provided also, That no ground of objection shall be inquired into at any such Court other than is stated in some notice so given as aforesaid: Provided further, That it shall be lawful for the Lord Lieutenant of Ireland to appoint, by warrant under his hand, so many Barristers, of not less than Five Years' standing at the Bar, as he shall think fit, to revise the List of Burgesses in any City, Town or Borough in the present year; and the Barrister so appointed shall, for that purpose, be in the place and stead of the Mayor and Assessors of such City, Town or Borough, and shall revise the List of Burgesses in this year, and have all such powers as the Mayor and Assessors will possess in the succeeding year.

Power to rectify mistakes in the Lists.

Lord Lieutenant may appoint Revising Barristers for the present year.

And be it Enacted, That every Mayor or Barrister holding any Court under this Act for the revision of the said Lists shall have power to adjourn the same from time to time, so that no such adjourned Court shall be held after the Fifteenth day of October in any

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year,

16.

Mayor, on revising the Lists, to have power of adjourning, of administering

Gates, &c.,
and shall settle
and sign the
Lists in open
Court.

year, and shall have power to require any High-constable, Church-warden or other person authorized to applot, collect or levy any Grand Jury Cess or Municipal Rate or Tax, within any Parish wholly or in part within the Borough, or other person or persons having the custody of any Book of Applotment or Rate or Valuation, to produce the same, and allow same to be inspected at any Court to be held for revision of the Burgess Roll, and shall have power to administer an oath to the Town Clerk and Churchwardens, and to all persons claiming to be inserted in or making objection to the omission or insertion of any name in the said Lists, and to all persons objected to in any of such Lists, and to all persons claiming to have any mistake in any such Lists corrected, and to all Witnesses who may be tendered or examined on either side; and if any person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such person shall be deemed guilty of Perjury, and shall be punished accordingly; and the Mayor and Assessors or Barrister shall, upon hearing in open Court, determine upon the validity of such claims and objections; and the Mayor or Barrister shall, in open Court, write his initials against the names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected, and shall sign his name to every page of the several Lists so settled.

17.
Remuneration
to Barrister
Barrister, &c.

And be it Enacted, That every Barrister appointed to revise any List under this Act shall be paid at the rate of Five Guineas for every day he shall be so employed, over and above his travelling expenses; and every such Barrister, after the termination of his last sitting, shall lay before the Commissioners of His Majesty's Treasury a statement of the number of days during which he shall have been so employed in each Borough, and an account of the travelling expenses incurred by him in respect of such employment; and the said Lords Commissioners shall make an order for the amount to be paid to such Barrister out of the Consolidated Fund; provided that as soon as a Council shall be chosen in any Borough under the provisions of this Act, the said Lords Commissioners shall make an order on the Council of such Borough for the amount paid to such Barrister, and the Council shall forthwith cause the same to be repaid to the said Lords Commissioners out of the Borough Fund of such Borough, and the same, if not paid, shall be deemed to be a debt due to His Majesty, and recoverable as such: Provided further, That if it shall appear to the Lord Lieutenant that, for any cause, the List cannot be revised within the period directed by this Act, it shall be lawful for him to appoint One or more Barrister or Barristers to act in the place of or in addition to any before appointed, who shall have the same power as if originally appointed.

And

And be it Enacted, That the Lists so revised and signed as last aforesaid, shall be delivered by the Mayor to the Town Clerk of such Borough, who shall keep the same, and shall cause the said Lists to be fairly and truly copied into one general alphabetical list in a book to be by him provided for that purpose, with every name therein numbered, beginning the numbers from the first name, and continuing them in a regular series to the last name, and shall cause such book to be completed on or before the Twenty-second day of October in every year, and shall deliver such book, together with the lists, at the expiration of his office, to the person succeeding him in such office; and every such book shall be the Burgess Roll of the Burgesses of such Borough entitled to vote, after the passing of this Act, in the choice of the Council, Assessors and Auditors of such Borough as hereinafter mentioned, at any election which may take place in such Borough between the Twenty-fifth day of October inclusive in the year wherein such Burgess Roll shall have been made and the Twenty-fifth day of October in the succeeding year; provided that no stamp duty shall be payable in respect of the admission, registry or enrolment of any Burgess, according to the provisions of this Act.

18.
Borough Lists to be kept by the Town Clerk, and copied into Books, with the Names numbered.

Such Book to be the Register of Voters from which Election shall be made.

No Stamp Duty payable on Enrolment.

And be it Enacted, That if any such Mayor shall wilfully and corruptly expunge the name of any person duly entitled to be enrolled on the said Burgess Roll, or shall wilfully and corruptly disallow the claim of any such person duly entitled to have his name inserted in such Burgess Roll, such Mayor shall be liable to be sued by way of civil bill in an action of debt for the penal sum of Ten Pounds at the suit of such person in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough; and if any such Mayor shall wilfully and corruptly insert or retain in such List the name of any person who shall not be duly entitled to be enrolled on such Burgess Roll, such Mayor shall be liable to be sued by way of civil bill in an action of debt for the penal sum of Ten Pounds at the suit of any Burgess of the said Borough who shall sue for the same in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough; and the Defendant in such action respectively, being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same; and if any Mayor, Town Clerk or Churchwarden shall wilfully neglect to make out such Lists, or wilfully omit the name of any person which ought to be inserted thereon, or wilfully insert in or retain on such Lists the name of any person which ought not to be inserted thereon, or wilfully neglect or refuse to perform the duties or any part thereof by this Act imposed, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

19.
Mayor wilfully and corruptly expunging or not inserting any Name, liable to an Action.

Mayor, Town Clerk, or Churchwarden neglecting duty, guilty of a Misdemeanor.

20.
Copies of
Burgess Roll
to be made
for Sale.

And be it Enacted, That the Town Clerk of every Borough shall cause to be written or printed copies of the Burgess Roll in every year, and shall deliver such copies to all persons applying for the same, on payment of a reasonable price for each copy; and the monies arising from the sale thereof, and of the Churchwardens and Town Clerks' Lists, and of the Lists of Claims and Objections as aforesaid, shall be paid over to the Treasurer of such Borough, and shall be applied by him in aid of the Borough Fund hereinafter mentioned; and the Town Clerk of every Borough shall on or before the First day of December next make out a List, to be called "The Burgess and Freeman's Roll," of all persons who at the time of the passing of this Act shall have been admitted as Freemen of such Borough; and that whenever any person shall become entitled to be admitted a Freeman of such Borough in respect of birth, servitude or marriage, and shall claim to be admitted accordingly, the Mayor of such Borough shall examine into such claim, and upon such claim being established every such person shall thereupon be admitted and enrolled by the Town Clerk of such Borough upon the said Roll; and the Town Clerk shall keep a true Copy of such Roll, to be perused by any person, without payment of any fee, at all reasonable times, and shall deliver a copy thereof to any person requiring the same, on payment of a reasonable price for such copy.

21.
Expenses of
Lists how to
be defrayed.

And be it Enacted, That the Council of every Borough shall take an account of the reasonable expenses incurred in carrying into effect the several provisions of this Act, so far as relates to the said Lists, and shall order the Treasurer of the said Borough to pay the same out of the Borough Fund of the said Borough.

22.
Mayors, Aldermen
and
Councillors to
be chosen in
every Borough.

And be it Enacted, That in every Borough shall be elected, at the time and in manner hereinafter mentioned, a certain number of fit persons, who shall be and be called "The Aldermen" of such Borough, and a certain number of other fit persons, who shall be called "The Councillors" of such Borough, and One fit person, who shall be and be called "The Mayor" of such Borough; and the number of persons to be so elected Councillors of such Borough shall be the number of persons in that behalf mentioned in conjunction with the name of such Borough in the Schedules (A.), (B.) and (C.) to this Act annexed; and the number of persons so to be elected Aldermen shall be One-third of the number of persons so to be elected Councillors; and such Mayor, Aldermen and Councillors for the time being, or so many of them as shall at any time be elected and have accepted the offices, shall be and be called "The Council of such Borough."

23.
Who not
qualified to be
chosen Mayor,
Aldermen or
Councillor.

And be it Enacted, That no person being in Holy Orders, or being the regular Minister of any Dissenting Congregation, shall be qualified

qualified to be elected, or to be a Councillor or an Alderman of any Borough ; nor shall any person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in said Schedule (A.) to this Act annexed, who shall not be entitled to be on the Burgess List of such Borough, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of One thousand Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve Months next previous have occupied, a house of the clear yearly value of Twenty Pounds or upwards, situate within the Borough ; nor shall any person be qualified to be elected, or to be a Councillor or an Alderman of any Borough during such time as he shall hold any office or place of profit, other than that of Mayor, in the gift or disposal of the Council or charitable Trustees of such Borough, or while he is an uncertified bankrupt, or during such time as he shall have, directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by or on behalf of such Council or charitable Trustees ; provided that no person shall be disqualified from being a Councillor or Alderman of any Borough as aforesaid by reason of his being a proprietor or shareholder of or in any Company which shall contract with the Council of such Borough for lighting or supplying with water any part of the said Borough, or insuring against fire any property therein.

And be it Enacted, That every Burgess of any Borough who shall be enrolled on the Burgess Roll for the time being of such Borough, shall be entitled to vote in the election of Councillors and of the Auditors and Assessors hereinafter mentioned for such Borough ; and no person who shall not be enrolled in such Burgess Roll for the time being, shall have any voice or be entitled to vote in any such election.

24.
Who shall
vote in the
election for
Councillors.

And be it Enacted, That on the Twenty-fifth day of October in this present year, the Burgesses in each Borough mentioned in said Schedules, and not divided into Wards as hereinafter directed, shall elect from among the persons qualified to be Councillors of such Borough, the number of persons mentioned in the Schedules to this Act annexed in conjunction with such Borough, as the number of Aldermen and Councillors of said Borough ; and One-fourth part of the persons so elected, being those who shall have the greatest number of votes, shall be the Aldermen of said Borough, and the remaining Three-fourths shall be the Councillors of such Borough.

25.
Directing the
election of
Aldermen and
Councillors.

And be it Enacted, That upon the Twenty-fifth day of October One thousand eight hundred and Thirty-seven, and in every succeeding year, One-third part of the number appointed as aforesaid to be the whole number of the Councillors of every Borough shall go

26.
One-third part
of the Council
to go out of
Office
annually.

out of office, and the Burgesses then enrolled in the Borough shall elect the number of Councillors needed to supply the vacancies thereupon existing in the number of Councillors; and in the said year One thousand eight hundred and Thirty-seven, those who shall so go out of office shall be the Councillors who were elected under the provisions of this Act by the smallest numbers of votes in this present year, and in the next year, One thousand eight hundred and Thirty-eight, those who shall so go out of office shall be the Councillors who were elected under the provisions of this Act by the next smallest numbers of votes in this present year, the majority of the whole Council always determining when the votes for any such persons shall have been equal, or in case there shall have been no contest, who shall be the persons so to go out of office; and thereafter those who shall so go out of office shall always be the Councillors who have been for the longest time in office without re-election: Provided always, That any Councillor so going out of office shall be capable of being forthwith re-elected, if then qualified as herein provided.

27.
One-half the
number of
Aldermen to
go out of
office every
Three Years.

And be it Enacted, That on the Twenty-fifth day of October One thousand eight hundred and Thirty-nine, and in every Third succeeding year, one-half of the number appointed to be the whole number of Aldermen of every Borough shall go out of office, and the Burgesses then enrolled in the Borough shall elect the number of Aldermen needed to supply the vacancies thereupon existing in the number of Aldermen, and in the year One thousand eight hundred and thirty-nine the Aldermen who shall go out of office shall be the Aldermen who were elected by the smallest number of votes in this year, and the majority of the council determining when the votes for any such persons shall have been equal, or in case there shall have been no contest, who shall be the Aldermen first to go out of office; and thereafter those who shall go out of office shall always be those who have been Aldermen for the longest time without re-election: Provided always, That any Alderman on going out of office may be forthwith re-elected if then qualified.

28.
Elections how
to be held.

Mode of
voting.

And be it Enacted, That every election of Aldermen or of Councillors within any Borough according to the provisions of this Act shall be held before the Mayor and Assessors for the time being of such Borough, except as herein is excepted; and the voting at every such election shall commence at Nine of the clock in the Forenoon, and shall finally close at Four of the clock in the Afternoon of the same day, and shall be conducted in manner following; (that is to say) every Burgess entitled to vote in the election may vote for any number of persons not exceeding the number of Aldermen or Councillors then to be chosen, by delivering to the Mayor a Voting Paper containing the christian names and surnames of the persons for whom

whom he votes, with respective places of abode and descriptions, such paper being previously signed with the name of the Burgess voting, and with the name of the street, lane or other place in which the property in respect of which he is enrolled is situated.

And be it Enacted, That at every election under this Act in any Borough, the Mayor, if it shall appear to him expedient for taking the poll at such election, may cause Booths to be erected, or rooms to be hired and used as such Booths, for different parts of such Borough, and such Booths or rooms may be situated either in one place or in several places, and shall be so divided and allotted into compartments as to the Mayor shall seem most convenient; and the Mayor shall appoint a Clerk to take the poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said Booths the names of the parts of the Borough for which such Booth is respectively allotted; and no person shall be admitted to vote at any such election except at the Booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him as described in the Burgess Roll may be; but in case no Booth shall happen to be provided for any particular part as aforesaid, the votes of the persons voting in respect of property situate in any part so omitted may be taken at any of the said Booths; and public notice of the situation, division and allotments of the different Booths shall be given Two Days before the commencement of the poll by the Mayor; and in case the Booths shall be situated in different places, the Mayor may appoint a deputy to preside at each place: Provided that no election shall be holden under this Act in any Borough in any church, chapel or other place of public worship.

And be it Enacted, That no inquiry shall be permitted at any election as to the right of any person to vote as a Burgess in any Borough, except only as follows; (that is to say) that the Mayor or other presiding officer shall, if required by any Two Burgesses entitled to vote in the same Borough, put to any voter at the time of his delivering in his Voting Paper, and not afterwards, the following questions, or any of them, and no other:

1. Are you the person whose name is signed A. B. to the Voting Paper now delivered in by you?
2. Are you the person whose name appears as A. B. on the Burgess Roll now in force for this Borough, being registered therein for property described to be situated in ?
[Here specify the street, &c. as described in the Burgess Roll.]
3. Have you already voted at the present election?

29.
Polling Booths to be provided,

30.
No inquiry of the Voter, except as to his identity, and whether he has voted before at the same Election.

Forms of Questions as to these points.

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same; and if any person shall wilfully make a false answer to any of the questions aforesaid, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

31.
Result of
Election how
to be declared.

And be it Enacted, That the Mayor and Assessors shall examine the Voting Papers so delivered as aforesaid, for the purpose of ascertaining which of the several persons voted for are duly elected; and so many of such persons, being equal to the number of persons then to be chosen, as shall have the greatest number of votes, shall be deemed to be elected; and in case of an equality in the number of votes for any Two or more persons, the Mayor and Assessors, or any Two of them, shall name from amongst those persons for whom the number of votes shall be equal so many as shall be necessary to complete the requisite number of persons to be chosen; and the Mayor shall cause the Voting Papers to be kept in the office of the Town Clerk during Six calendar Months at the least after every such election, and the Town Clerk shall permit any Burgess to inspect the Voting Papers of any year, on payment of One Shilling for every search; and the Mayor shall publish a list of the names of the persons so elected, together with the number of votes given in favour of each person so elected, not later than Two of the clock in the afternoon of the day next but one following the day of such election, unless such day be Sunday, and then on the Monday following: Provided always, That if the Mayor or any Assessor of any Borough shall at the time when it shall be necessary to execute the powers and duties herein provided with respect to electors be dead, absent or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to execute all such powers and duties in his place, whose acts shall be as valid as any act of the person instead of whom he shall have been so elected.

32.
Election of
Auditors and
Assessors.

And be it Enacted, That on the Tenth day of November in the Year One thousand eight hundred and Thirty-six, and in every succeeding year, the Burgesses of every Borough shall elect from the persons qualified to be Councillors, by a majority of votes, Two Burgesses, who shall be and be called Auditors of such Borough, and Two Burgesses, who shall be and be called Assessors of such Borough; and every such Auditor and Assessor shall continue in office until the Tenth day of November in the year following his election; and the election of such Auditors and Assessors respectively shall be in form and manner hereinbefore provided for the election of Councillors: Provided nevertheless, That in every such election of Auditors or Assessors no Burgess shall vote for more than

than One person to be an Auditor or Assessor: Provided also, That no Burgess shall be eligible to be or be elected such Auditor or Assessor as aforesaid who shall be of the Council, or the Town Clerk or Treasurer of such Borough.

And be it Enacted, That after the declaration of the first election of the Councillors under the provisions of this Act in any Borough, the Mayor, Aldermen and Common Councillmen, and all other members of the Common Council or governing Body of the Body Corporate, if any, named in conjunction with such Borough in the said Schedules (A.) and (B.) by whatever name or style they may be known or called, then in office, or elected to any office, shall go out of office, and their whole powers and duties shall cease: Provided nevertheless, That any of the said persons shall be eligible to be elected and appointed under the provisions of this Act: Provided also, That in every Borough in which by statute, charter, bye-law or custom, any election is appointed to be holden between the day of the passing of this Act and the said Twenty-fifth day of October, both inclusive, no such election shall be holden; but every person holding office or elected to any office in any Borough on the day of the passing of this Act shall hold such office, and have all the powers, and be subject to all the duties and be entitled to the same or a proportion of the same salary and fees of such office for the time for which he shall act as he would have had and been if elected to such office between the day of the passing of this Act and the said Twenty-fifth day of October until the time provided by this Act for him to go out of office, any statute, charter, bye-law or custom notwithstanding.

33-
Existing
Mayors and
Councils to
go out of
office on elec-
tion of Coun-
cils under this
Act.

AND whereas it is expedient that certain Boroughs of large population should be divided into Wards before any election of Councillors for such Boroughs shall take place; BE it Enacted, That every Borough in the said Schedule (A.) shall be divided into the number of Wards mentioned in such Schedule in conjunction with the name of such Borough; provided that Parliament, by an Act to be passed in this present Session, shall direct in what manner such division shall be made, and shall apportion among the several Wards of such Borough the number of Councillors and Aldermen mentioned in conjunction with the name of such Borough in the said Schedule, so that the number of Councillors assigned to each Ward may be a number divisible by Three, and the number of Aldermen One-third of the number of Councillors, and in that case the number of Councillors and Aldermen so assigned to each Ward of such Borough shall thenceforth be the number to be elected in such Ward as hereinafter mentioned.

34-
Certain
Boroughs to
be divided
into Wards.

35-
Election of
Councillors
and Assessors
in Wards.

And be it Enacted, That in every case in which there shall be a division into Wards of any Borough the Burgesses of every such Ward, and none others, shall on the Twenty-fifth day of October next separately elect from the persons qualified to be Councillors the whole number of Aldermen and Councillors assigned to such Ward; and the One-fourth of the persons so elected who shall have the greatest number of votes shall be the Aldermen of such Ward, and the remaining Three-fourths shall be the Councillors of such Ward; and the Burgesses of such Ward, and none others, in every subsequent year, shall separately elect from the persons qualified to be Councillors One-third part of the whole number of Councillors assigned to such Ward, and in every Third subsequent year One-half of the whole number of Aldermen assigned to such Ward, and on the First day of November next after the first election of Councillors in such Ward and in every subsequent year shall separately elect from the persons qualified to be Councillors Two Assessors for such Ward, besides the Two Assessors chosen as aforesaid by the Burgesses of the whole Borough, to hold the Court with the Mayor for revising the Burgess Lists; and every such Ward election first after such division into Wards of any Borough shall be held before the Mayor, or the person whom the Mayor for the time being shall, and he is hereby required to appoint in that behalf, and in every succeeding year shall be held before the Alderman whom the Councillors chosen in such Ward shall yearly appoint in that behalf, and before the Two Assessors of such Ward; and the votings and other proceedings in all other respects at such Ward elections shall be conducted in the same manner as at elections of Aldermen, Councillors or Assessors respectively by the Burgesses of the whole Borough, and the Alderman and Assessors of each Ward, and the persons who may be so appointed, shall have the same powers in regard to elections in their Ward as the Mayor and Assessors for the whole Borough if not divided into Wards; and every person so elected an Alderman, Councillor or Assessor in such Ward shall hold his office for the same time that he would have held it if he had been elected by the Burgesses of the whole Borough, and if the number elected in such Ward had been the whole number for the Borough.

* 36.
Lists of the
Burgesses in
each Ward to
be made out
yearly.

And be it Enacted, That, for the purpose of better ascertaining who are the Burgesses of any such Ward, the Burgess Roll of every Borough so divided into Wards shall thenceforward yearly be made out by or under the direction of the Town Clerk, in alphabetical Lists of the Burgesses in each Ward, to be called "Ward Lists."

37-
Burgesses to
vote for the
Councillors of
the Ward in

And be it Enacted, That after such division into Wards every Burgess of any Borough shall be entitled to vote in the election of
the

the Aldermen and Councillors to be chosen within that Ward in which some part of the property of such Burgess in respect of which he is enrolled on the Burgess Roll for the time being of such Borough shall appear to be situated, and not otherwise; and in case it shall happen that any Burgess shall be enrolled in respect of property in Two or more Wards, then he shall be entitled, if otherwise duly qualified according to the provisions of this Act, to be enrolled and vote in such one of the said Wards as he shall at the time of his enrolment select, but not in more than One.

which their
Property is
situate.

And be it Enacted, That if at any election of Aldermen, Councillors or Assessors for any Borough any person shall be elected an Alderman, Councillor or Assessor in more than One of the Wards of such Borough, he shall within Three Days after notice thereof choose or in his default the Mayor shall declare for which one of the said Wards such Alderman, Councillor or Assessor shall serve, and such person shall thereupon be held to be elected in that Ward only which he shall so choose or which the Mayor shall so declare.

38.
Manner of
proceeding if
any person is
elected a
Councillor in
more than
One Ward.

And be it Enacted, That if an extraordinary vacancy shall be occasioned in the office of Alderman, Councillor, Auditor or Assessor for any Borough, the Burgesses entitled to vote shall, on a day to be fixed by the Mayor of such Borough or by the Alderman of the Ward in which the vacancy has happened, accordingly as the Election is to be by the Burgesses of the whole Borough or of any particular Ward (such day not to be later than Ten Days after such vacancy), elect from the persons qualified to be Councillors another Burgess to supply such vacancy; and such election shall be held, and the voting and other proceedings, in case of a contest, shall be conducted in the same manner and subject to the same provisions as are hereinbefore enacted with respect to the election of Councillors as aforesaid; and every person so elected shall hold such office until the time at which the person in room of whom he was chosen would regularly have gone out of office, and he shall then go out of office, but shall be capable of immediate re-election, if then qualified as herein provided: Provided always, That after the full number to be regularly elected of the Council in any year shall have declared their acceptance of office no new election of Councillors shall be made by reason of such extraordinary vacancy, unless the number of Councillors remaining after such vacancy shall not exceed Two-thirds of the whole number of the Councillors of such Borough.

39.
Occasional
Vacancies in
the Council to
be filled up by
fresh Election.

And be it Enacted, That on the First day of November in every year the Council of the Borough shall elect out of the Aldermen or Councillors of such Borough a fit person to be the Mayor of such Borough, who shall continue in his office for One whole year; and

40.
Election of
Mayor by
Council.

in case of an equality of votes in any election of Mayor, the Alderman who shall have been elected by the greatest number of votes shall have a second or casting vote; and in case a vacancy shall be occasioned in the office of Mayor of the Borough during such year, by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Council of the Borough shall within Ten Days after such vacancy elect of the Aldermen or Councillors of the said Borough another fit person to be the Mayor thereof for the remainder of the then current year.

41.
Election of
Aldermen of
the Wards.

And be it Enacted, That in case any extraordinary vacancy shall be occasioned in the office of Alderman by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Burgesses, in case no division into Wards shall have been made, and when such division shall have been made the Burgesses of the Ward in which the vacancy may have occurred, shall within Ten Days after such vacancy elect out of the Councillors or persons qualified to be Councillors of the Borough another fit person to be an Alderman of the Ward instead of the person so declining, dying or ceasing to hold office.

42.
Mayor and
Councillors
not to act
until they
have made a
declaration of
acceptance of
Office.

And be it Enacted, That no person elected a Mayor, Alderman or Councillor, Assessor or Auditor for any Borough under the provisions of this Act, shall be capable of acting as such, except in administering the declaration hereinafter contained, until he shall have made and subscribed before any Two or more of such Aldermen or Councillors (who are hereby respectively authorized and required to administer the same) a declaration in the words or to the effect following; (that is to say)

"I, A. B., having been elected Mayor [or, Alderman, Councillor, Auditor or Assessor] for the Borough of
do hereby declare, That I take the said office upon myself, and
will duly and faithfully fulfil the duties thereof according to
the best of my judgment and ability."

And in case of the party being required to be qualified by estate, say,

"And I do hereby declare, That I am seized or possessed of real or personal estate [or both, as the case may be] to the amount of One thousand Pounds over and above what will satisfy my debts."

"That I now occupy and have for Twelve months last past occupied a house of the clear yearly value of Twenty pounds, situate within the Borough of
."

Provided

Provided that when a rate shall have been imposed in any Borough under this Act, the words "rated as being of the value of Twenty Pounds" shall be inserted instead of the words "of the clear yearly value."

- 5 And that every Alderman who shall have made and subscribed the foregoing declaration in respect of estate shall once in every period of Three Years, if required in writing so to do by any Two Members of the Council, make and subscribe a Declaration that he is qualified to the same amount in real or personal estate, or both, as the case
10 may then be, as the amount mentioned in the declaration originally made or subscribed by him.

- And be it Enacted, That every person duly qualified who shall be elected to the office of Alderman, Councillor, Auditor or Assessor, and every Councillor or Alderman who shall be elected to the office
15 of Mayor for any Borough shall accept such office to which he shall have been elected, or shall in lieu thereof pay to the Mayor, Aldermen and Burgesses of such Borough such fine, not exceeding Fifty Pounds in case of Aldermen, Councillors, Assessors or Auditors, and such fine not exceeding One hundred Pounds in case of Mayor, as
20 the Council of such Borough, by a bye-law to be made as hereinafter provided shall declare in that behalf; and such fine, if not duly paid, shall be levied by the warrant of any Justice having jurisdiction within such Borough, who is hereby required on application of the Council to issue the same, by distress and sale of the goods and
25 chattels of the person so refusing to accept such office with the reasonable charges of such distress, and shall also be recoverable by way of civil bill in an action of debt, at the suit of the Mayor, Aldermen and Burgesses of such Borough, in the Court of the Assistant-Barrister, Chairman or Recorder having jurisdiction by way of civil
30 bill within such Borough; and every such person so elected shall accept such office, by making and subscribing the declaration hereinbefore mentioned within Five Days after notice of his election, otherwise such person shall be liable to pay the said fine as for his non-acceptance of such office, and such office shall thereupon be deemed
35 to be vacant, and shall be filled up by a fresh election to be made in the manner hereinbefore mentioned: Provided always, That no person disabled by lunacy or imbecility of mind, or by deafness, blindness or other permanent infirmity of body, shall be liable to such fine as aforesaid: Provided also, That every person so elected
40 to any such office, who shall be above the age of sixty-five years, or who shall be a Member of Parliament or Sheriff of a County, or who shall have already served such office respectively or paid the fine for not accepting such office respectively, within Five Years from the day on which he shall be so re-elected, shall be exempted from accepting or serving the same office if he shall claim such exemption

43.
Every Burgess elected to the office of Councillor, and every Councillor elected to the office of Mayor or Alderman of the Ward, shall accept the office, or pay a Fine to the Borough Fund.

Exemption.

within Five Days after notice of his election ; and that nothing herein contained shall extend to compel the acceptance of any office or duty whatever in any Borough by any military, naval or marine officer in His Majesty's Service on full pay, or any officer of Excise or Customs, or any person employed in any of His Majesty's dockyards, victualling establishments, arsenals or barrack, or any person serving in the office of High or Sub-Sheriff of a county at large, or being a Member of the House of Commons : Provided further, That no person enabled by law to make an affirmation or declaration instead of taking an oath shall be liable to any fine for non-acceptance of office in any Borough.

44.
Any Mayor or Councillor, if he shall be declared bankrupt, or insolvent, or absent himself from the Borough, shall lose his office.

Provided always, and be it Enacted, That if any person holding the office of Mayor, Alderman or Councillor for any Borough shall be declared bankrupt, or shall apply to take the benefit of any Act for the Relief of Insolvent Debtors, or shall compound by deed with his creditors, or, being Mayor, be absent for more than Two calendar Months, or, being an Alderman or Councillor, for more than Six Months at one and the same time (unless in case of illness or other reasonable cause to be allowed by the Council), from the Borough of which he shall be Mayor, Alderman or Councillor, then and in every such case such person shall thereupon immediately become disqualified and shall cease to hold the office of such Mayor, Alderman or Councillor as aforesaid, and in case of such absence shall be liable to the same fine, to be recovered in the same manner, as if he had refused to accept the said office, and the Council thereupon shall forthwith declare the said office to be void, and shall signify the same by notice in writing under the hands of Three or more of them, countersigned by the Town Clerk, to be affixed in some public place within the Borough, and the said office shall thereupon become void ; but every person so becoming disqualified and ceasing to hold such office on account of his being declared a bankrupt, or of his applying to take the benefit of any Act for the Relief of Insolvent Debtors, or having compounded with his creditors as aforesaid, shall, on obtaining his certificate or on payment of his debts in full be capable, if otherwise qualified, of being re-elected to such office ; and every person becoming disqualified to hold such office on account of absence as aforesaid shall on his return to such Borough be capable of being re-elected to such office, provided he shall then be otherwise qualified.

45.
Penalty on person not qualified, for acting as Mayor, Alderman, or Councillor.

And be it Enacted, That if any person shall act as Mayor, Alderman or Councillor, or Auditor or Assessor, for any Borough, without having made the declaration hereinbefore required in that behalf, or without being duly qualified at the time of making such declaration, or after he shall have ceased to be qualified according to

to the provisions of this Act, or after he shall have become disqualified to hold any such office, he shall for every such offence forfeit the sum of Fifty Pounds, such sum to be recovered, with full costs of suit, by any person who will sue for the same within
 5 Three calendar Months after the commission of such offence, by action of debt or on the case in any of His Majesty's Superior Courts of Record; and every person so sued by reason of not being so qualified in respect of estate shall prove that he was at the time of so acting qualified as aforesaid, or otherwise shall pay the said
 10 penalty, without any further evidence being given on the part of the plaintiff than that such person has acted as the Mayor, or as Alderman, Councillor, Auditor or Assessor (as the case may be) of such Borough: Provided always, That it shall be lawful for any defendant by Judge's order, or by the order of the Court, to be
 15 obtained within Fourteen Days after he shall have been served with process in any such action, to require the plaintiff to give security for costs; and in such case all further proceedings in the said cause shall be stayed until the plaintiff shall give security to the satisfaction of the proper officer of the Court for the costs of such action
 20 in case a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue such action, or if upon demurrer or otherwise judgment shall be given against the plaintiff, and the defendant shall in either of such cases recover his full costs as between attorney and client: Provided also, That no such action
 25 shall be brought except by a Burgess of such Borough, nor unless the Burgess bringing the same shall, within Fourteen Days after the commission of the offence, have served a notice in writing personally upon the party committing such offence of his intention to bring such action; and in case the plaintiff in any such action shall
 30 obtain a verdict, the money so to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows; (that is to say) one Moiety thereof to the person so suing, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the Borough Fund: Provided always, That all acts and proceedings
 35 of any person in possession of the office of Mayor, Alderman, Councillor, Auditor or Assessor, and acting as a Mayor, Alderman, Councillor, Auditor or Assessor, shall, notwithstanding such disqualification or want of qualification, be as valid and effectual as if
 40 such person had been duly qualified: Provided also, That whenever any day by this Act appointed as a day of election, or for doing any act in any year, shall happen on a Sunday, in every such case the election shall be held as the act done on the Monday following.

Proviso.

And he it Enacted, That if any person who shall have or claim to have any right to vote in any election of Mayor, or of an Alderman,
 597.

c 4

man,

46.
Persons convicted of bribery disqualified from

voting at any
Election for
Members of
the Council.

man, Councillor, Auditor or Assessor of any Borough shall, after the passing of this Act, ask or take any money or other reward by way of gift, loan or other device, or agree or contract for any money, gift, office, employment or other reward whatsoever, to give or forbear to give his vote in any such election, or if any person, by himself or any person employed by him, shall, by any gift or reward, or by any promise, agreement or security for any gift or reward, corrupt or procure, or offer to corrupt or procure, any person to give or forbear to give his vote in any such election, such person so offending in any of the cases aforesaid shall for every such offence forfeit the sum of Fifty Pounds, to be recovered, together with full costs of suit, by any one who shall sue for the same, by action of debt, bill, plaint or information, in any of His Majesty's Courts of Record at Dublin; and any person offending in any of the cases aforesaid, being lawfully convicted thereof, shall for ever be disabled to vote in any election in such Borough, or in any Municipal or Parliamentary election whatever in any part of the United Kingdom, and also shall for ever be disabled to hold, exercise or enjoy any office or franchise to which he then shall or at any time afterwards may be entitled as a Burgess of such or any other Borough, as if such person was naturally dead.

47.
Persons
offending in
any of the
cases aforesaid
discover-
ing others
so offending,
within Twelve
Months, dis-
charged from
all Penalties.

And be it Enacted, That if any person offending in any of the cases aforesaid shall, within the space of Twelve calendar Months next after such election as aforesaid, discover any other person or persons offending in any of the cases aforesaid, so that such person or persons so discovered be therein convicted, such person so discovering, and not having been before that time convicted of any such offence, shall be indemnified and discharged from all penalties and disabilities which he shall then have incurred by any such offence.

48.
No person to
be made liable
to incapacity
or penalty,
unless Prose-
cution com-
menced within
Two Years.

Provided always, and it is hereby Enacted, That no person shall be made liable to any incapacity, disability, forfeiture or penalty by this Act imposed in any of the cases aforesaid, unless prosecution be commenced within Two Years after such incapacity, disability, forfeiture or penalty shall be incurred; any thing herein contained to the contrary notwithstanding.

49.
The Mayor to
be a Justice
of the Peace
for the
Borough and
for the County,
and Returning
Officer at
Elections of
Members to
serve in Par-
liament.

And be it Enacted, That the Mayor for the time being of every Borough shall be a Justice of the Peace of and for such Borough, and such Mayor shall, during his mayornalty, have precedence in all places within the Borough, and in Boroughs which return a Member or Members to serve in Parliament, other than cities and towns which are counties of themselves, shall be the Returning Officer at all elections for such Members; and such Mayor or other Returning Officer

officer of any Borough shall, if he shall think fit, or if any candidate shall require the same, be assisted in such of the said Boroughs as shall have a Recorder by the Recorder of such Borough as his Assessor at such election; and in case the Mayor shall, at the time
 5 when it shall be necessary to execute the powers and duties herein provided with respect to any elections, be dead or absent, or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to be the Returning Officer for such Borough in the place of the Mayor being so dead, absent or other-
 10 wise incapable.

And be it Enacted, That the Council of every Borough in every year shall appoint, to be removable at their pleasure, a fit person, not being a member of the Council, to be the Town Clerk of such Borough, and one other fit person, not being a member of the
 15 Council, to be the Treasurer of the Borough, and also such other officers as have been usually appointed in such Borough, or as they shall think necessary for enabling them to carry into execution the various powers and duties vested in them by virtue of this Act, and may from time to time discontinue the appointment of such officers
 20 as shall appear to them not necessary; and shall take such security for the due execution of his office by any such Town Clerk, Treasurer or other officer, as the said Council shall think proper; and shall order to be paid to the Mayor, and to the Town Clerk and Treasurer, and to every such other officer to be employed as afore-
 25 said, such salary or allowances as the said Council shall think reasonable; and in case of any vacancy in any such office as aforesaid, by death, resignation, removal or otherwise, the Council of such Borough may appoint another fit person in the place of the person so making such vacancy; provided that the Town Clerk and
 30 Treasurer shall not be the same person.

50.
 Power to Council to appoint Town Clerk, Treasurer, and other Officers, and to take security for due discharge of their official duties.

And be it Enacted, That the Treasurer of any Borough shall pay no money on account of the Mayor, Aldermen and Burgesses of such Borough, save only in such case as is provided by this Act, or upon
 the order in writing of the Council, signed by Three or more
 35 members of the Council, and countersigned by the Town Clerk of such Borough, or for the payment of the salaries granted to any Recorder or Police Magistrate as hereinafter provided, or by order of the Court of Sessions of the Peace for the Borough, or of a Justice of the Peace acting in and for the Borough in the discharge of his
 40 judicial duty in such case as is provided by this Act, or in such case as a Court of Sessions of the Peace for any County, or a Justice of the Peace acting in and for a County in the discharge of his judicial duty, may make an order for the payment of money on the Treasurer of such County.

51.
 Treasurer to pay no Money but by order of Council

52.
County Com-
missioners to act
in other
Boroughs.

And be it Enacted, That the Council elected under this Act in any Borough shall have power to remove from his office every Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer of such Borough and Body Corporate, except the Sheriff, who shall be in office at the time of the first election of Councillors under this Act; and every such Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer in such Borough, shall continue to act in the same capacity as heretofore, and to execute all the duties heretofore belonging to his office, and be entitled to have the same salaries, fees and emoluments as he would have had if this Act had not been passed, until he shall be removed from his office, and no longer, unless he shall be re-appointed according to the provisions of this Act; and every officer who shall be in possession or receipt of any monies, goods, valuable securities, books or papers belonging to or concerning the Body Corporate whose officer he is shall deliver up and account for the same to the Council of such Body Corporate appointed under this Act; and in case they or any of them shall refuse or wilfully neglect to deliver such accounts, vouchers and lists, or to make such payments, or to deliver such books, papers and writings, or to give satisfaction respecting the same, as is heretofore provided in the case of officers appointed by such Council, they and every of them may be proceeded against, and shall be subject and liable to the several provisions heretofore contained in cases of officers appointed by such Council: Provided always, That all the charters, deeds, muniments and records of every Borough, or relating to the property thereof, shall be kept in such place as the Council from time to time shall direct, and the Town Clerk for the time being shall have the charge and custody of and be responsible for the same.

53.
Justices of the
Peace in
Counties of
Towns to
continue in
office until
separate Com-
missioners shall
have been
granted to
those Towns;
and in other
Towns until
1st January
1837.

And be it further Enacted, That the powers and duties of all persons who by virtue of any Charter shall at the time of the passing of this Act be Justices of the Peace in such of the Towns named in the said Schedule (A.) to this Act annexed as are Counties of Cities or Counties of Towns, and in the City and Liberties of Londonderry, notwithstanding they may have ceased to hold the office by virtue of which they shall be such Justices, shall continue until separate Commissions of the Peace shall have been granted to such Counties of Cities or Counties of Towns respectively and no longer; and the powers and duties of all persons, who by virtue of any Charter shall be Justices of the Peace in such of the said Towns as are not Counties of Cities or Counties of Towns shall cease on the First day of January One thousand eight hundred and Thirty-seven.

And

And be it further Enacted, That the powers and duties of all persons who at the time of the passing of this Act shall be Justices of the Peace with salaries or fees, by virtue of any Act or Acts of Parliament now in force, in any Town named in the said Schedule (A.) to this Act annexed, whether such persons shall be such Justices in their respective corporate capacities, or shall have been elected or appointed by any such Body Corporate or any member or members thereof in his or their corporate capacity, and where such persons shall have been such Justices in their respective corporate capacities, notwithstanding that they shall have ceased to hold the offices by virtue of which they shall be such Justices, shall continue, and the same police offices and officers and servants and establishments for the performance of such powers and duties, and all laws and provisions relating thereto, shall be continued and remain in force in the same manner as if this Act had not been passed, until such time as the Lord Lieutenant shall, by notice to be published in the Dublin Gazette, declare that the same shall determine, and at the time to be mentioned in any such notice the powers and duties of the person or persons therein named as Justice or Justices in such town shall cease.

54-
The powers of salaried Magistrates under Acts of Parliament continued until determined by the Lord Lieutenant.

And be it Enacted, That every officer of any Borough or County who shall be in any office of profit at the time of the passing of this Act whose office shall be abolished, or who shall be removed from his office under the provisions of this Act, or who shall not be re-appointed as aforesaid, shall be entitled to have an adequate compensation, to be assessed by the Council and paid out of the Borough Fund, for the salary, fees and emoluments of the office which he shall so cease to hold, regard being had to the manner of his appointment to the said office, and his term or interest therein, and all other circumstances of the case; and every person entitled to such compensation as aforesaid shall deliver to the Town Clerk, or in case such person shall himself be Town Clerk, then to the Treasurer of the Borough, a statement under the hand of such person setting forth the amount received by him or his predecessors in every year during the period of Five Years next before the passing of this Act, on account of the salary, fees, emoluments, profits and perquisites in respect whereof he shall claim such compensation, distinguishing the office, place, situation, employment or appointment in respect whereof the same shall have been received, and containing a declaration that the same is a true statement according to the best of the knowledge, information and belief of such person, and also setting forth the sum claimed by him as such compensation; and the Town Clerk or Treasurer, as the case shall be, shall lay such statement before the Council, who shall take the same into consideration, and determine thereon; and immediately upon such determination

55-
Officers to receive Compensation on removal.

being made, the person preferring such claim, if he shall not himself be the Town Clerk, shall be informed thereof by notice in writing under the hand of the Town Clerk; and in case such claim shall be admitted in part and disallowed in part, such notice shall specify the particulars in which the same shall have been admitted and disallowed respectively; and in case the person preferring such claim shall think himself aggrieved by the determination of the Council thereon, or in case One-third of the members of the Council shall subscribe a protest against the amount of compensation allowed by the determination of the Council as excessive, it shall be lawful for the person preferring such claim, or any member of the Council who shall subscribe such protest, to appeal to the Lords Commissioners of His Majesty's Treasury, who shall thereupon make such order as to them shall seem just; and such order, signed by Three or more of such Lords Commissioners, shall be binding on all parties: Provided always, That if the Council shall not determine on such claim within Six calendar Months after the aforesaid statement shall be delivered to the Town Clerk or Treasurer, as the case shall be, such claim shall be considered as admitted: Provided also, That it shall not be lawful for any member of the Council to subscribe such protest as aforesaid except within such period of Six calendar Months: Provided also, That the person preferring such claim, if any member of the Council shall so require, upon receiving notice in writing signed by the Town Clerk, unless such person shall himself be Town Clerk, in which case no such notice shall be requisite, shall from time to time attend at any meeting or adjourned meeting of the Council for the investigation of such claim, and then and there, upon his oath or solemn affirmation, or his declaration, to be taken or made before the Mayor (who is hereby authorized to administer the same), shall answer all such questions as shall be asked by any member of the Council touching the matters set forth in the statement subscribed by such person as aforesaid, and produce all books, papers and writings in his possession, custody or power relating thereto: Provided also, That every such officer who shall be continued in or re-appointed to such office under the provisions of this Act, and who shall be subsequently removed from such office for any cause other than such misconduct as would warrant removal from any office held during good behaviour, shall be entitled to compensation in like manner as if he had been forthwith removed under the provisions of this Act, and had not been continued in or re-appointed to such office.

56.

Compensation
to be secured
by bond under
Common Seal.

And be it Enacted, That the value of the sum payable to any person as such compensation as aforesaid, if not forthwith paid, shall be secured to such person by bond or obligation under the common seal of the Borough out of whose funds the same shall be payable

payable, in a sufficient penalty, conditioned for the payment to such person, his executors or administrators or assigns, of the value of such sum, with interest, and all arrears thereof (if any) accrued due before the date of such bond; and such bond or obligation shall
 5 be prepared and executed at the expense of the Borough Fund, and delivered to the person entitled to such compensation as soon as conveniently may be after the amount thereof shall have been admitted as aforesaid by the Council of the Borough, or shall have been determined, in the event of such appeal as aforesaid, by order
 10 of the said Lords Commissioners.

And be it Enacted, That all pensions and allowances granted on or before the Fifth day of June One thousand eight hundred and Thirty-five, by the Corporate Body named in the said Schedules in conjunction with any Borough, to any retired officer or servant, or
 15 to the widow or child of any officer or servant, and all stipends and allowances which during Seven Years next before the said Fifth day of June have been usually paid and granted to the Minister or late Minister of any Church or Chapel, or to the Master or Usher of any School, or to the Governor or Master of any Hospital within
 20 such Borough, and all charitable allowances which have been usually paid as aforesaid to the inmates of any almshouses by such Corporate Body, shall be secured, as soon as conveniently may be after the passing of this Act, to every person entitled or accustomed to have and receive the same, by bond or obligation under the
 25 common seal of the Borough out of whose funds the same shall be payable, in a sufficient penalty, conditioned for the payment to such person, his executors and administrators, of such pension, stipend or allowance, with all arrears thereof, if any, accrued due before the date of such bond; and such bond or obligation shall be pre-
 30 pared and executed at the expense of the Borough Fund.

And be it Enacted, That all Acts whatsoever authorized or required by virtue of this Act to be done by the Council of any Borough, and all questions of adjournment or others that may come before such Council, may be done and decided by the majority of the members of
 35 the Council who shall be present at any meeting held in pursuance of this Act, the whole number present at such meeting not being less than One-third part of the number of the whole Council; and at all such meetings the Mayor, if present, shall preside; and the Mayor, or, in case of the absence of the Mayor, such Alderman or Councillor and
 40 members of the Council then assembled shall choose to be the Chairman of that meeting, shall have a second or casting vote in all cases of equality of votes, except in the election of Mayor, as aforesaid; and minutes of the proceedings of all such meetings shall be drawn up and fairly entered in a book to be kept for that purpose, and shall

57.
*Reservation
 of certain
 Pensions and
 Allowances.*

58.
*Questions to
 be decided by
 a majority of
 Councillors
 present; One-
 third Part of
 whole num-
 ber to be a
 Quorum.*

be signed by the Mayor, Alderman, or Councillor presiding at such meeting; and the said minutes shall be open to the inspection of any Burgess at all reasonable times on payment of a fee of One Shilling: Provided always, That previous to any meeting of the Council held by virtue of this Act, a notice of the time and place of such intended meeting shall be given Three clear Days at least before such meeting, by fixing the said notice on or near the door of the Town Hall of the Borough; and such notice shall be signed by the Mayor, who shall have power to call a meeting of the Council as often as he shall think proper; and in case the Mayor shall refuse to call any such meeting after a requisition for that purpose signed by Five Members of the Council at the least shall have been presented to him, it shall be lawful for the said Five Members to call a meeting of the Council by giving such notice as is hereinbefore required in that behalf, such notice to be signed by the said members instead of the Mayor, and stating therein the business proposed to be transacted at such meeting; and in every case a summons to attend the Council, specifying the business proposed to be transacted at such meeting, signed by the Town Clerk, shall be left at the usual place of abode of every member of the Council, or at the premises in respect of which he is enrolled a Burgess, Three clear Days at the least before such meeting; and no business shall be transacted at such meeting other than is specified in the notice: Provided always, That there shall be in every Borough Four quarterly meetings in every year at which the Council shall meet for the transaction of general business, and no notice shall need to be given of the business to be transacted on such quarterly days; and the said quarterly meetings shall be holden at noon on the First day of November, or if the First day of November shall fall on a Sunday on the day following, and at such hour on such other Three days before the Twenty-fifth day of October then next following as the Council at the quarterly meeting in November shall decide; and the first business transacted at the quarterly meeting in November shall be the election of Mayor.

59.
Power to
Council to
appoint
Committees.

And he it Enacted, That it shall be lawful for the Council of any Borough to appoint out of their own body, from time to time, such and so many Committees, either of a general or special nature, and consisting of such number of persons as they may think fit, for any purposes which in the discretion of such Council would be better regulated and managed by means of such Committees: Provided always, That the acts of every such Committee shall be submitted to the Council for their approval.

60.
Charitable
Trustees.

AND whereas it is expedient that the administration of any real or personal estate of which any Body Corporate now stands seized

or

or possessed in trust as to the whole or in part for certain charitable trusts, be kept distinct from that of the public stock and Borough Fund; BE it Enacted, That in every Borough in which the Body Corporate or any one or more of the members of such Body Corporate in his or their corporate capacity, now stands or stand solely, or together with any person or persons elected solely by such Body Corporate, or solely by any particular member, class, or description of members of such Body Corporate seised or possessed for any estate or interest whatsoever of any hereditaments, or any sums of money, chattels, securities for money, or any other personal estate whatsoever, in whole or in part in trust or for the benefit of any charitable uses or trusts whatsoever, all the estate, right, interest and title, and all the powers of such Body Corporate, or of such member or members of such Body Corporate in respect of the said uses and trusts shall continue in the persons who at the time of the passing of this Act are such Trustees as aforesaid, notwithstanding that they may have ceased to hold any office by virtue of which before the passing of this Act they were such Trustees, until the First day of May in the year One thousand eight hundred and Thirty-seven, or until Parliament shall otherwise order, and shall immediately thereupon utterly cease and determine: Provided always, That if any vacancy shall be occasioned among the charitable Trustees for any Borough before the said First day of May in the year One thousand eight hundred and Thirty-seven, it shall be lawful for the Lord Chancellor of Ireland or Lords Commissioners for the custody of the Great Seal then for the time being, upon petition in a summary way to appoint another Trustee to supply such vacancy; and every person so appointed a Trustee as last aforesaid shall be a Trustee until the time at which the person in the room of whom he was chosen would regularly have ceased to be a Trustee, and he shall then cease to be a Trustee: Provided also, That if Parliament shall not otherwise direct, on or before the said First day of May in the year One thousand eight hundred and Thirty-seven, the Lord Chancellor of Ireland or Lords Commissioners of the Great Seal then shall make such orders as he or they shall see fit for the appointment of a Trustee or Trustees, and the administration of trust estate, subject to such charitable uses or trusts as aforesaid.

And be it Enacted, That the Body Corporate of every Borough shall be Trustees for executing by the Council of such Borough the powers and provisions of all Acts of Parliament made before the passing of this Act, (other than Acts made for securing charitable uses and trusts,) and of all trusts (other than charitable uses and trusts) of which the Body Corporate, or any of the members thereof in their corporate capacity, was or were sole Trustees before the time of the first election of Councillors in such Borough under this Act.

61.
Council to become
Visitors and
Trustees of
all Acts of
which Corporations were
ex-officio
sole Trustees, &c.

62.
Council to
appoint a
limited Num-
ber of Coun-
cillors to be
joint Trus-
tees for
certain pur-
poses.

And be it Enacted, That in every Borough in which the Body Corporate, or a particular or limited number, class or description of members of the Body Corporate, or of persons appointed by the Body Corporate, was or were before the passing of this Act Trustees jointly with other Trustees for the execution of any Act of Parliament, or of any trust, in which the Body Corporate, or any particular or limited number, class or description of members or nominees of the Body Corporate, by any statute, charter, bye-law or custom, was or were before the passing of this Act lawfully appointed to or exercised any powers, duties or functions whatsoever not otherwise herein provided for, and the continuance of which is not inconsistent with the provisions of this Act, the Council of such Borough, on the day named in such Act as last aforesaid, or in the deed or will by which such trust is created for a new election, nomination or appointment of Trustees, or on which such new election, nomination or appointment has usually been made, (and if there shall be no such day named or usually observed, then on the First day of January in every year,) shall appoint the like number of members of the Council or as near as may be to the like number of members of the Council, as there were therefore members or nominees of such Corporate Body who in right of their office were such Trustees or charged with the execution of such powers, duties and functions, in room of the members or nominees of such corporate body ceasing to be Trustees, or ceasing to exercise such powers, duties and functions by virtue of this Act, and in every case of extraordinary vacancy among the Trustees or persons so appointed by the Council shall forthwith appoint one other member of the Council in the room of the person by whom such vacancy has been made, and to hold his trust or office for such time as the person by whom such vacancy has been made would regularly have held it.

63.
Present
Trustees of
certain Acts
continued for
a definite
time.

And be it Enacted, That notwithstanding any thing in this Act contained every member of any Body Corporate who in his corporate capacity, and every nominee of any Body Corporate, or any particular number, class or description of members of such Body Corporate, who at the time of the passing of this Act shall be for a definite number of years or other shorter time a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed; and if a Trustee for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the First day of January in the year One thousand eight hundred and Thirty-seven, and no longer; and every member of the Council appointed under the provisions of this Act to be a Trustee of such Acts or Trusts as last aforesaid shall continue to be such Trustee until the time

time herein provided for the new appointment of a member of the Council to be Trustee in his room, notwithstanding that he may have ceased to be a member of the Council; and in case any particular member or officer of any of the said Bodies Corporate shall have
 5 been appointed by any such Act, or by any such trust deed or will as last aforesaid, to perform during a definite number of years or other shorter time any specific powers, duties or functions whatsoever, the person who at the time of the passing of this Act shall be the person designated and qualified to perform the same shall
 10 continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed; and if appointed for an indefinite time or for life, or for so long as he shall be a member or of a particular class or description of such Body Corporate, then until the First day of January in the year One
 15 thousand eight hundred and Thirty-seven, and no longer.

AND whereas it may be expedient that the powers now vested in the Trustees or Commissioners appointed under sundry Acts of Parliament for paving or lighting or cleansing, or supplying with water, or improving certain Boroughs, or certain parts thereof, save
 10 and except as hereinafter mentioned, should be transferred to and vested in the Councils of such Boroughs respectively; BE it Enacted, That the Trustees or Commissioners appointed by virtue of any such Act of Parliament as last aforesaid, wherein the Trustees or the persons whose Trustees they may be, are not beneficially interested,
 25 may, if it shall seem to them expedient, at a meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees by any such Act or Acts of Parliament as aforesaid to the said Body Corporate of such Borough, and the said Body Corporate of such Borough shall thenceforth be Trustees for executing, by the
 30 Council of such Borough, the several powers and provisions of any such Act or Acts of Parliament, and the members of the Council shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or
 35 Acts) as such Trustees respectively: Provided always, That nothing herein contained shall extend to enable the Commissioners for paving, cleansing and lighting the Streets of Dublin, or the Commissioners for making wide and convenient Streets in the City of Dublin, or the Corporation for improving the Port and Harbour of Dublin, so to
 40 transfer the powers vested in them respectively.

64.
Powers vested in Trustees may be transferred to Councils.

And be it Enacted, That the Council to be elected for any Borough, the Borough of the City of Dublin only excepted, shall, immediately after their first election, and so from time to time there-
 597.

E

after

65.
A Watch Committee to consist of the Mayor and Councilmen; such Committee

to appoint
Constables for
the Borough.

after as they shall deem expedient, appoint for such time as they may think proper, a sufficient number of their own body, who, together with the Mayor of the Borough for the time being, shall be and be called the " Watch Committee " for such Borough ; and all the powers hereinafter given to such Committee may be executed by the majority of those who shall be present at any meeting of such Committee, the whole number present at such meeting being not less than Three ; and such Watch Committee shall, within Three weeks after their first formation, and so from time to time thereafter as occasion shall require, appoint a sufficient number of fit men, who shall be sworn in before some Justice of the Peace having jurisdiction within the Borough, to act as Constables for preserving the peace by day and by night, and preventing robberies and other felonies, and apprehending offenders against the peace ; and the men so sworn shall, not only within such Borough, but also within the County in which such Borough or part thereof shall be situated, and also within every County being within Seven Miles of any part of such Borough, and also within all Liberties in any such County, have all such powers and privileges, and be liable to all such duties and responsibilities, as any Constable duly appointed now has or hereafter may have within his Constablowick, by virtue of the Common Law of this Realm, or of any statutes made or to be made, and shall obey all such lawful commands as they may from time to time receive from any of the Justices of the Peace having jurisdiction within such Borough, or within any County in which they shall be called on to act as Constables, for conducting themselves in the execution of their office.

Constables to
be for the
County, &c.
as well as
Borough.

66.
Watch Committee to
make Regulations for
the Management of the
Constables.

And be it Enacted, That the Watch Committee for any such Borough as aforesaid, may from time to time frame such regulations as they shall deem expedient, for preventing neglect or abuse, and for rendering such Constable efficient in the discharge of their duties ; and the said Committee, or any Two Justices of the Peace having jurisdiction within the Borough, may at any time suspend or dismiss any Constable whom they shall think negligent in the discharge of his duty, or otherwise unfit for the same ; and when any man shall be so dismissed, or cease to belong to the said Constabulary Force, all powers vested in him as a Constable by virtue of this Act shall immediately cease ; and no man so dismissed as aforesaid shall be re-appointed without the consent of Two of the Justices of the Peace having jurisdiction within the Borough.

67.
Power to
Constables to
apprehend
disorderly
Persons, &c.

And be it Enacted, That it shall be lawful for any Constable, during the time of his being on duty, to apprehend all idle and disorderly persons whom he shall find disturbing the public peace, or whom

whom he shall have just cause to suspect of an intention to commit a felony, and to deliver any person so apprehended into the custody of the Constable appointed under this Act, who shall be in attendance at the nearest watchhouse in order that such person may be secured until he can be brought before a Justice of the Peace, to be dealt with according to law, or may give bail for his appearance before a Justice of the Peace, if the Constable shall think fit to take bail, in the manner hereinafter mentioned.

And be it Enacted, That where any person charged with any petty misdemeanor shall be brought without the warrant of a Justice of the Peace into his custody of any Constable appointed under this Act during his attendance in the night-time at any watchhouse within any such Borough as aforesaid, it shall be lawful for such Constable, if he shall think fit, to take bail by recognizance, without any fee or reward, from such person, conditioned that such person shall appear for examination within Two Days before a Justice of the Peace within the Borough, at some time and place to be specified in the recognizance; and every recognizance so taken shall be of equal obligation on the parties entering into the same, and liable to the same proceedings for the estreating thereof, as if the same had been taken before a Justice of the Peace; and the Constable shall enter in a book to be kept for that purpose in every watchhouse, the names, residence and occupation of the party, and his surety or sureties, if any, entering into such recognizance, together with the condition thereof, and the same respectively acknowledged, and shall lay the same before such Justice as shall be present at the time and place when and where the party is required to appear; and if the party does not appear at the time and place required, the Justice shall declare such recognizance forfeited, and shall issue his warrant, directing the amount thereof to be paid to the Treasurer of said Borough, and in default of payment, directing the person mentioned therein to levy, off the goods and chattels of the person named therein, the amount secured thereby, and the costs of the sale and of such warrant, and the same shall be levied and paid to the Treasurer of said Borough; and the Justice shall, if he shall think fit, be at liberty to enlarge the recognizance to such further time as he shall appoint; and when the matter shall be heard and determined, either by the dismissal of the complaint, or by binding the party over to answer the matter thereof at the Sessions, or otherwise, the recognizance for the appearance of the party before a Justice shall be discharged without fee or reward.

And be it Enacted, That if any Constable of any Borough shall be guilty of any neglect of duty, or of any disobedience of any lawful order

68.
Constables attending at the watchhouse in the night may take bail by recognizance from persons brought before them for petty misdemeanors; such recognizance to be conditioned for the appearance of the parties before a Magistrate.

In default of appearance, recognizance to be forfeited.

Time of hearing may be postponed.

69.
Penalties on Constables for neglect of duty.

order, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Ten Days, or to be fined in any sum not exceeding Forty Shillings, or to be dismissed from his office, as such Justices shall in their discretion think meet.

5

70.
Penalty for
Assaults on
Constables.

And be it Enacted, That if any person shall assault or resist any Constable of any Borough appointed under this Act in the execution of his duty, or shall aid or incite any person so as to assault or resist, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned 10 for any time not exceeding Two Months, or to be fined such sum, not exceeding Five Pounds, as the said Justices shall think meet: Provided always, That nothing herein contained shall prevent any prosecution by way of indictment against any person so offending, but so as that such person shall not be prosecuted by indictment and 15 also proceeded against under this Act for the same offence.

Previous.

71.
Regulation
and payment
of Expenses.

And be it Enacted, That the Treasurer of every Borough shall pay to the Constables of every such Borough appointed under this Act such salaries, wages and allowances, and at such periods, as the Watch Committee for such Borough shall, subject to the approba- 20 tion of the Council, direct, and the Council shall order to be paid also any extraordinary expenses which such persons shall appear to have necessarily incurred in apprehending offenders and executing the orders of any Justice of the Peace having jurisdiction within such Borough, such expenses having been first examined and 25 approved of by such Justice; and the said Treasurer shall also pay such further sums as the Watch Committee shall, subject to the approbation of the Council, award to any of the persons belonging to the said Constabulary Force as a reward for extraordinary diligence or exertion, or as a compensation for wounds or severe injuries 30 received in the performance of their duty, or as an allowance to such of them as shall be disabled by bodily injury received, or shall be worn out by length of service, and all other charges and expenses which the Watch Committee shall, subject to the approbation of the Council, direct to be paid for the purposes of the Constabulary Force 35 under this Act.

Rewards for
activity, &c.

72.
Magistrates
to appoint
annually a
certain
number of
persons to act
as Special
Constables in
case of need.

And be it Enacted, That any Two or more of the Justices of the Peace having jurisdiction within any Borough are hereby authorized and required, in the month of January in every year, to nominate and appoint by precept in writing under their hands so many as they 40 shall think fit of the inhabitants of such Borough (not legally exempt for serving the office of Constable) to act as Special Constables within

within such Borough, whensoever they shall be required by the warrant of any of the Justices of the Peace having jurisdiction within such Borough so to act, and not otherwise; and every such warrant shall recite that, in the opinion of the Justice granting the same, the ordinary Police Force of the Borough is insufficient at that time to maintain the peace of the Borough; and every person so appointed a Special Constable shall take the oath set forth in the Act passed in the second and third years of the reign of His present Majesty, intituled, "An Act for amending the Laws in Ireland relative to the appointment of Special Constables, and for the better Preservation of the Peace," and shall have the powers and immunities and be liable to the duties and penalties enacted by the said last-mentioned Act; and every person so appointed a Special Constable shall receive out of the Borough Fund for every day during which he shall be called out to act as such the sum of Three Shillings and Sixpence, and no more.

2 & 3 W. 4,
c. 100.

Payment of
Special Con-
stables.

And be it Enacted, That as soon as Constables shall have been appointed by the Watch Committee for any Borough, a notice, signed by the Mayor of such Borough, specifying the day on which such Constables shall begin to act, shall be fixed on the door of the Town Hall and every place of public worship within such Borough; and on the day so specified in such notice so much of all Acts named in conjunction with such Borough in the Schedule (E.) to this Act annexed, and of all Acts made before the passing of this Act, as relates to the appointment, regulation, powers and duties, or to the assessment or collection of any rate to provide for the expenses of any Watchmen for any place or places situated within such Borough, shall cease and determine; and all watchhouses and watchboxes in any such place or places, and all arms, accoutrements and other necessities provided at the public expense for any watchmen therein, shall be given up to such persons as shall be named by the said Mayor in such notice, for the use and accommodation of the Constables to be appointed under this Act, and all the property so to be given up shall be deemed to belong to the Body Corporate of such Borough; and in case any person having the charge, control or possession of any watchhouse, watchbox, arms, accoutrements or necessities as aforesaid, shall neglect or refuse to give up the same as hereinbefore required, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay, over and above the value of the property not given up, such sum not exceeding Five Pounds as the said Justices shall think meet; and where there shall be any building in such place as aforesaid, a part only of which building shall have been heretofore used as a watchhouse, such part shall be given up every day from the

73-
On notice of
appointment
of Constables,
the present
provisions in
Local Act as
to watchings,
&c. to cease.

Watchboxes,
Arms, &c. to
be given up
for the use
of the Con-
stables
appointed
under this
Act.

Penalty for
not giving
them up.

hour of Four in the Afternoon until the hour of Nine in the Forenoon, for the use and accommodation of the Constables to be appointed under this Act; and if any person having the charge, control or possession of any such building shall neglect or refuse to give up such part thereof for the purposes aforesaid, or to permit free access thereto or egress therefrom during any portion of the time above prescribed, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay such sum not exceeding Five Pounds as the said Justices shall think meet: Provided however, That nothing herein contained shall be construed to extend to or to affect the power of any Magistrate or officer of Police appointed or acting under the provisions of an Act passed in the fifty-fourth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act to provide for the better Execution of the Laws in Ireland, by appointing superintending Magistrates and additional Constables in Counties, in certain cases," or under an Act passed in the third year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for the Appointment of Constables, and to secure the effectual Performance of the Duties of their Office, and for the Appointment of Magistrates in certain cases," or under any Act for the amendment of said recited Acts, or any of them.

54 Geo. 3,
c. 121.

3 Geo. 4,
c. 162.

74.
Provido as to
Rates in
error, and as
to Debts.

Provided always, and be it Enacted, That any Rate or Presentment for defraying the expenses of any Watchmen in any such place or places aforesaid, made previously to the day specified in such notice as aforesaid, shall be levied and collected in the same manner as if this Act had not been passed: Provided also, That nothing herein contained shall prevent the making, levying and collecting of any Rate or Presentment in any such place or places as aforesaid, for the purpose of paying any debt contracted before the passing of this Act, or the interest of any such debt, but that such Rate or Cess shall and may be levied and collected in the same manner as if this Act had not been passed.

75.
Regulations
to be ob-
served by
Watch Com-
mittees.

And be it Enacted, That the Watch Committee of every such Borough shall, on the Tenth day of January, the Tenth day of April, the Tenth day of July, and the Tenth day of October in every year, transmit to the Lord Lieutenant of Ireland a Report of the number of men appointed to act as Watchmen in such Borough, and of the description of arms, accoutrements and clothing, and other necessities furnished to each man, and of the salaries, wages and allowances payable to such Watchmen, and of the number and situation of all Station Houses in such Borough, and also a copy of all rules, orders and regulations which shall from time to time be made

made by such Watch Committee, or by the Council of such Borough for the regulation and guidance of such Watchmen.

AND whereas parts of certain Boroughs are within the provisions of one or more Local Act or Acts for regulating the lighting thereof, and certain other parts of the same Boroughs are not within the provisions of any local Act for regulating the lighting thereof; and for want of such lighting the efficiency of the Watchmen may be much diminished, and great facilities afforded for the commission of crimes and for the escape of the offenders; FOR Remedy thereof, Be it Enacted, That it shall be lawful for the Council of any Borough in any part of which there is a Local Act for the lighting thereof to make an order that any part of such Borough, not being within the provisions of any Local Act for the lighting thereof, shall, from and after a certain day to be named in such order, be taken to be within the provisions of such Local Act or Acts for lighting any part of such Borough as the Council shall specify in such order; and after such day the part named in such order shall be within the provisions of the Act or Acts so specified, so far as relates to lighting, or to any rates authorized to be levied for the purpose of lighting, as fully as if such part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding: Provided always, That every part named in such order shall be lighted in the like manner as those parts which before the making of such order were within the provisions of such Local Act, and that the rate to be raised for the purpose of defraying the expenses of lighting any part so named in such order shall not exceed the average expense in the pound of the lighting of the other parts of such Borough.

76.
Power for Council to order parts of Borough not within Local Acts as to lighting to be included in such Act.

Proviso as to Amount of Rate for Lighting.

And be it Enacted, That if the Council of any Borough chosen under this Act shall, by public notice to be affixed on the outer door of the Town Hall, or in some public place within the Borough, declare that on a certain day to be named in such notice, not less than Twenty-one Days after the day on which such public notice shall have been given, they will take upon themselves the powers given to the Commissioners under a certain Act made in the ninth year of the reign of his late Majesty, intituled, "An Act to make provision for the Lighting, cleansing and watching of Cities, Towns Corporate and Market Towns in Ireland, in certain cases," so far as relates to the lighting of any part of such Borough which is not within the provisions of any Local Act for lighting the same, the Council of such Borough shall, after the day named in such notice, have the same powers and duties as belong to Commissioners under the said last-recited Act in regard

77.
Council may assume the powers of Commissioners under 9 G. 4, c. 32, for paving, lighting, or cleansing Streets of any Borough;

to lighting, and to levying rates for the purpose of lighting, such part of the Borough, except so far as the same are contrary to or inconsistent with the provisions of this Act.

78.
and (except
in Dublin)
make Estimate
and
Valuation of
Property.

Appeal
against such
Estimate.

And be it Enacted, That the Council of every Borough, except the City of Dublin, shall, in every year before the Tenth day of January, cause an estimate and valuation to be made of the like property, and in the same manner as the Commissioners appointed under the said recited Act of the ninth year of the reign of his late Majesty King GEORGE the Fourth were authorized and required to do, which shall have the force and effect for One Year, from the Tenth day of January in every year in which it shall have been made, of any estimate or valuation made under the said Act; and in case any person shall think that such estimate is erroneous, either as being an excessive estimate of property belonging to him, or an insufficient estimate of property belonging to another, it shall be lawful for such person at any time before the First day of February then next to appeal against such estimate, and he shall, in that case, before that day deliver to the Town Clerk of such Borough a notice signed by him, specifying of which of the said objections to such estimate he complains; and such appeal shall be heard and determined in every Borough in which there shall be a Recorder under this Act by the Recorder of the Borough at the Sitting of his Court held next after the expiration of Ten Days from the said First day of February; and when there shall be no such Recorder, it shall be heard and determined by the Assistant Barrister of the County having jurisdiction to hear and determine Suits by Civil Bill for the district in which the property estimated shall be situated at the Sessions held for such district next after the expiration of said Ten Days; and such Recorder or Barrister shall have power to award to or against the person appealing such costs not exceeding Ten Shillings as he shall think fit, and to issue a decree against the party appealing for any costs awarded against him, which shall have the force of a decree in a Suit by Civil Bill; and, in case he shall award costs to be paid to him, to make an order on the Treasurer of such Borough to pay the sum out of the Borough Rate, which order the said Treasurer shall obey; and the determination of such Recorder or Barrister shall be conclusive: Provided however, That no such Recorder or Barrister shall entertain such appeal without proof that such notice as aforesaid was given: And provided also, That he shall not have power to inquire into any objection to such estimate, save the one specified in such notice; and that if such appeal shall not be prosecuted effectually by the person appealing, the estimate shall be taken to be conclusive, notwithstanding such notice.

And

And be it Enacted, That it shall be lawful for the Council of any Borough to make such bye-laws as to them shall seem meet for the good rule and government of the Borough, and for prevention and suppression of all nuisances as are not already punishable under any Act already in force throughout such Borough, and to appoint by such bye-laws such fines as they shall deem necessary for the prevention and suppression of such offences: Provided, that no fine so to be appointed shall exceed the sum of Five Pounds, and that no such bye-laws shall be made unless at least Two-thirds of the whole number of the Council shall be present: Provided, that no such bye-law shall be of any force until the expiration of Forty Days after the same, or a copy thereof shall have been sent, sealed with the seal of the said Borough, to the Lord Lieutenant, and shall have been affixed on the outer door of the Town Hall, or in some other public place within such Borough; and if at any time within the said period of Forty Days the Lord Lieutenant, with the advice of the Privy Council of Ireland, shall disallow the same bye-law, or any part thereof, such bye-law, or the part thereof disallowed, shall not come into operation: Provided also, That it shall be lawful for the Lord Lieutenant, at any time within the said period of Forty Days, to enlarge the time within which such bye-law, if disallowed, shall not come into force, and no such bye-law shall, in that case, come into force until after the expiration of such enlarged time; and the Town Clerk of every Borough shall, under the directions of the Council thereof, cause all the bye-laws and regulations in force in such Borough from time to time to be printed in a uniform and convenient form, and shall keep copies thereof, publicly affixed in the office of such Town Clerk, and in every public office and court of such Borough of or belonging to or connected with the Corporation thereof, for the free and open inspection of all persons without any fee at all reasonable hours, and shall deliver a copy of such bye-laws and regulations to any person requiring the same on payment of such reasonable price for the same as the Council shall from time to time direct; and if any person shall wilfully and maliciously pull down, destroy or deface any copy of such bye-laws and regulations as shall be so affixed as aforesaid, such person shall, for every such offence, forfeit and pay any sum not exceeding Twenty Shillings: Provided further, That no bye-law to be made by the Council of the Boroughs of Coleraine and Londonderry respectively shall be sent to the Lord Lieutenant until the same shall have been approved of by the Honourable Society of the Governor and Assistants of London of the new plantation in Ulster within the realm of Ireland.

80.
As to breaches
of Bye-laws.

And be it Enacted, That all the provisions hereinafter contained relative to offences against this Act punishable upon summary conviction shall be taken to apply to all offences committed in breach of any bye-law or regulation made by virtue of this Act.

81.
All Corporate
Profits and
all Fines to
be received
on account of
the Borough
Fund.

And be it Enacted, That after the election of the Treasurer in any borough, the rents, issues and profits of all hereditaments, estates and tenements, and the interest, dividends and annual proceeds of all monies, dues, chattels and valuable securities belonging or payable to any Body Corporate named in conjunction with the said Borough in the said Schedule (A.), or to any member or officer thereof in his corporate capacity, and every fine or penalty for any offence against this Act (the application of which has not been already provided for) shall be paid to the Treasurer of such Borough; and all the monies which he shall so receive shall be carried by him to the account of a fund to be called "The Borough Fund."

82.
Salaries of
Recorder,
Town Clerk,
Treasurer
and other
Officers, and
Election
Expenses to
be paid out of
such Fund.

And be it Enacted, That the Borough Fund, subject to the payment of any lawful debt due from such Body Corporate to any person which shall have been contracted before the passing of this Act, and unredeemed, or of so much thereof as the Council of such Borough from time to time shall be required or shall deem it expedient to redeem, and to the payment from time to time of the interest of so much thereof as shall remain unredeemed, and saving all rights, interests, claims or demands of all persons or Bodies Corporate in or upon the real or personal estate of any Body Corporate by virtue of any proceedings either at law or in equity which have been already instituted, or which may be hereafter instituted, or by virtue of any mortgage or otherwise, shall be applied towards the payment of the salary of the Mayor and of the Recorder, and of the Police Magistrate hereinafter mentioned, when there is a Recorder or Police Magistrate; and of the respective salaries of the Town Clerk and Treasurer, and of every other officer whom the Council shall appoint, and also toward the payment of the expenses incurred from time to time in preparing and printing burgess rolls and ward lists and notices, and in other matters attending such elections as are herein mentioned, and, in Boroughs which shall have a separate Court of Sessions of the Peace as is hereinafter provided towards the expenses of the prosecution, maintenance and punishment of offenders committed from the Borough for trial at the Sessions of the Peace for such Borough, and towards the expense of maintaining the corporate buildings, and in all Boroughs, save the city of Dublin, towards the paving, cleansing and lighting the streets of said Borough, and towards supplying the inhabitants with water, the payment of the watchmen,

men, maintaining the peace and good order, and of all other municipal expenses which shall be necessarily incurred in carrying into effect the provisions of this Act; and in case the Borough Fund shall be more than sufficient for the purposes aforesaid, the surplus thereof shall be applied, under the direction of the Council, for the public benefit of the inhabitants and improvement of the Borough.

Provided always, and be it Enacted, That it shall not be lawful for the Council to be elected under the provisions of this Act in any Borough in which the Body Corporate, named in conjunction with the said Borough in the said Schedule (A.), before the time of the passing of this Act, shall have contracted any lawful debt, chargeable on any tolls or dues belonging or payable to the said Body Corporate, or to any member or officer thereof in his corporate capacity, or towards the satisfaction whereof such tolls or dues, or any part thereof, were applicable before the passing of this Act, to alter or reduce the amount to be levied and payable of such tolls or dues, or to grant for any consideration any remission or exemption from such tolls or dues, or any part thereof, unless with the consent in writing under the hands of a majority in number and amount of the creditors to whom such debt is due, until after such debt and all arrears of interest due thereon shall have been fully paid and satisfied.

83.
Tolls or Dues payable before the passing of this Act not to be altered or reduced until payment of the Debt chargeable thereon.

And be it Enacted, That in case the Borough Fund shall not be sufficient for the purposes aforesaid, or in case there shall be no Borough Fund, the Council of the Borough is hereby authorized and required from time to time to estimate, as correctly as may be, what amount in addition to such fund, or when there shall be no such fund, will be sufficient for the payment of the expenses to be incurred in carrying into effect the provisions of this Act; and in order to raise the amount so estimated, the said Council is hereby authorized and required from time to time to order a Borough rate to be made within their Borough, and for that purpose the Council of such Borough shall have within their Borough all the powers and authorities which any Commissioners in any Borough in Ireland have within the limits of their commission by virtue of the said last-recited Act of the ninth year of the reign of his late Majesty, and shall observe and preserve the provisions thereof as if the same were herein recited, or as near thereto as the nature of the case will admit, except as is hereinafter excepted; and all such sums levied in pursuance of such Borough rate shall be paid over to the account of the Borough Fund; provided however, that if there shall be any surplus of any such rate in any year it shall be applied in some succeeding year to some purpose for which a

84.
Council authorized to raise Funds for payment of Expenses incurred in carrying this Act into execution.

Borough Rate may be made, and not to the general purposes to which the surplus of the Borough Fund may be applied as aforesaid.

85.
Council
authorized to
levy a Watch
Rate.

Provided always, and be it Enacted, That in every case in which before the passing of this Act any rate might be levied in any Borough, save the city of Dublin, for the purpose of watching solely by day or by night, or for the purpose of watching by day or by night conjointly with any other purpose, it shall be lawful for the Council of such Borough to levy a watch rate sufficient to raise any sum not greater than the average yearly sum which, during the last Seven Years, or where such rate shall not have been levied during Seven Years, then during such less number of years as such rate shall have been levied shall have been expended in the maintenance and establishment of watchmen within the district in which such rate was levied, and for that purpose the Council shall have all the powers hereinbefore given to the Council in the matter of the Borough Rate, and all such powers as were at the time of the passing of this Act vested in any person or persons for imposing or levying any such rate; and where any part of any Borough shall not at the time of the passing of this Act be within the provisions of the Act authorizing the levy of such rate for watching as aforesaid, it shall be lawful for the Council from time to time to order that such part, or so much thereof as to the Council shall seem fit, shall be rated to the watch rate in like manner as other parts of the Borough to be specified in such order, and such watch rate thereupon shall be levied within the part mentioned in such order in like manner as in the other parts of the Borough so specified, and all such sums levied in pursuance of such watch rate shall be paid over to the account of the Borough Fund: Provided always, That no such order as last aforesaid shall be made for rating to such watch rate any part of any Borough in which at the time of passing this Act such rate as aforesaid shall not be levied, and which is more than Two hundred yards distant from any street or continuous line of houses which shall be regularly watched within the Borough under the provisions of this Act.

86.
Act not to
render Cor-
porate Pro-
perty liable
for Debts not
chargeable
thereon, nor
to authorize
the levy of
new Rates for
payment of
Debts.

And be it Enacted, That nothing in this Act contained shall be construed to render liable to the payment of any debt contracted before the passing of this Act by any Body Corporate any part of the real or personal estate of the said Body Corporate which before the passing of this Act was not liable thereto, or to authorize the levy of any rate within any part of any Borough for the purpose of paying any debt contracted before the passing of this Act which before the passing of this Act could not lawfully be levied therein towards the payment of the same.

And

And be it Enacted, That the Treasurer of every Borough shall, in books to be kept for that purpose, enter true accounts of all sums of money by him received and paid on account of the purposes of this Act, and of the several matters for which such sums shall have been paid; and the books containing such accounts shall, at all reasonable times, be open to the inspection of any of the Aldermen or Councillors of such Borough; and all the accounts, with all such vouchers and papers relating thereto, shall in the months of March and September in every year be submitted by the Treasurer of the Borough to the Auditors hereinbefore provided to be elected, and to such member of the Council as the Mayor shall name, on the First day of March in every year, or in case of extraordinary vacancy within Ten Days next after such vacancy for the purpose of being examined and audited, from the First day of September in the year preceding to the First day of March, and from the First day of March to the First day of September in the year in which the said Auditors were elected and named; and if the said accounts shall be found to be correct, the Auditors shall sign the same; and after such accounts shall have been so respectively examined and audited in the month of September in every year, each Treasurer shall make out in writing, and shall cause to be printed a full Abstract of his Accounts for the year, and a copy thereof shall be open to the inspection of all the rate-payers of such Borough, and copies thereof shall be delivered to all rate-payers of such Borough applying for the same on payment of One Shilling for each copy.

87.
Accounts of Receipts and Disbursements to be kept, audited, and published.

AND whereas many of the said Municipal Corporations in Ireland have been and now are seized and possessed of divers lands, tenements and hereditaments, and the same have been granted to them, and ought to be vested in them for the public benefit of the said Boroughs respectively; and it is expedient to make further provision than now by law exists for preventing the waste and misapplication of such property, and of all other property which may hereafter be so granted to or acquired by Municipal Corporations for municipal purposes; BE it Enacted, That in any case of waste or misapplication of any such property, or of any breach of trust in respect thereof, or wherever the direction, decree or order of a Court of Equity shall be deemed necessary for the due administration and application of any such property, it shall be lawful for His Majesty's Attorney General for Ireland, or for any Two or more Burgesses of such Borough, to present a Petition to the Court of Chancery or to the Court of Exchequer in Ireland, stating such complaint, and praying such relief as the nature of the case may require; and it shall be lawful for the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal, or the Master of the Rolls for the time being, and for the Court of Exchequer, and they are hereby

88.
Property, remedy for misapplication of.

required to hear such petition in a summary way, and to direct all such persons as they shall consider necessary to answer to same, and, if necessary, to issue a commission for the examination of witnesses, and on their depositions or upon affidavits, or such other evidence as shall be produced upon such hearing, to determine the same, and to give such relief and make such order therein and with respect to the costs of such application, and to enforce the same by injunction or otherwise as to him or them shall seem just; and such order shall be final and conclusive, unless the party or parties who shall think himself or themselves aggrieved thereby shall, within Two Years from the time when such order shall have been passed and entered by the proper officer, have preferred an appeal from such decision to the House of Lords, to whom (it is hereby declared and enacted) an appeal shall lie from such order.

89.
Proceedings
not liable to
Stamp Duty.

And be it Enacted, That neither the petitions, nor any proceedings upon the same or relative thereto, nor the copies of any such petition or proceedings, shall be subject or liable to the payment of any stamp duty, charge for Chancery or other Court Fund, or other public charge whatever, save only the actual expense of making a copy when any such copy shall be required from any of such Courts.

90.
Power of
Sale and
Leasing
restrained.

And be it Enacted, That it shall not be lawful for the Council of any Body Corporate to be elected under this Act to sell, mortgage or alienate the lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant, or contract or agreement bonâ fide made or entered into on or before the Fifth day of June in the year One thousand eight hundred and Thirty-five, by or on behalf of the Body Corporate of any Borough, or of some resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, or to demise or lease, except in pursuance of some covenant, contract or agreement bonâ fide made or entered into on or before the said Fifth day of June, by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate, or any part thereof, or to enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands, tenements and hereditaments, or any part thereof, for any term exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement, then from the time when such agreement shall have been entered into; and in every lease which the said Council is not hereby restrained from making

making, there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Council shall appear reasonable, without taking any fine for the same.

91.
Provision in
certain cases
of Leasing.

5 Provided always, and be it Enacted, That in all cases in which any Body Corporate shall, on the Fifth day of June in the year One thousand eight hundred and Thirty-five, have been bound or engaged by any covenant or agreement, express or implied, or have been enjoined by any deed, will or other document, or have been
10 sanctioned or warranted by ancient usage, or by custom or practice, to make any renewal of any lease for years, or for life or lives, or for years determinable with any life or lives at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives at a fine
15 certain, or under any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made renewal of any lease for years, or for life or lives, or for years determinable with any life or lives at any fixed or determinate or known or accustomed period, or after the lapse of any
20 number of years, or upon the dropping of any life or lives, upon the payment of an arbitrary fine, it shall be lawful for the Council of such Borough to renew such lease for such term or number of years, either absolutely or determinable with any life or lives, or for such life or lives, and at such rent, and upon the payment of such
25 fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed: Provided nevertheless, That in every case in which such Council shall deem it expedient to sell and alienate, or to demise and lease,
30 for a longer term than Thirty-one Years, or upon different terms and conditions than those hereinbefore mentioned, any of the said lands, tenements or hereditaments, it shall be lawful for such Council to represent the circumstances of the case to the Lords Commissioners of His Majesty's Treasury; and it shall be lawful for such Council,
35 with the approbation of the said Lords Commissioners, or any Three of them, to sell, alienate and demise any of the lands, tenements and hereditaments of the said Body Corporate, in such manner and on such terms and conditions as shall have been approved by the said Lords Commissioners: Provided always, That notice of the intention
40 of the Council to make such application as aforesaid shall be fixed on the outer door of the town-hall, or in some public or conspicuous place within the Borough, One calendar Month at least before such application; and a copy of the memorial intended to be sent to the said Lords Commissioners shall be kept in the Town Clerk's Office during such calendar month, and shall be freely open to

the inspection of every Burgess at all reasonable hours during the same.

92.
Leases of
certain Build-
ings, and of
Ground for
building on,
or for making
Gardens, &c.,
may be made
for Seventy-
five Years.

Provided nevertheless, and be it Enacted, That in any of the instances hereinafter mentioned, it shall be lawful for the Council from time to time to demise and lease, or to enter into any contract or agreement for demising and leasing any of the said lands, tenements or hereditaments to any person, body politic, corporate or collegiate, for any term not exceeding Seventy-five Years from the time of making such lease or agreement; (that is to say), of tenements or hereditaments the greater part of the yearly value of which shall at the time of making the lease or agreement, consist of any building or buildings, of land or ground proper for the erection of any houses or other buildings thereupon, with or without gardens, yards, curtilages or other appurtenances to be used therewith; and where the lessee or intended lessee shall covenant or agree to erect a building or buildings thereon of greater yearly value than such land or ground, of land or ground proper for gardens, yards, curtilages or other appurtenances, to be used with any other house or other building erected or to be erected on any such ground, belonging either to such Body Corporate or to any other proprietor, or proper for any other purpose calculated to afford convenience or accommodation to the occupiers of any such house or building.

93.
Collusive
Purchases,
Sales and
Divisions of
Corporate
Property
since the
6th June 1835,
for value
consideration,
may be set
aside.

And be it Enacted, That it shall be lawful for the Council first to be elected in any Borough under the provisions of this Act to call in question all purchases, sales, leases, and demises not made in pursuance of some such bonâ fide covenant, contract, agreement or resolution made and entered into as aforesaid before the said Fifth day of June, and all contracts for the purchase, sale, lease or demise of any lands, tenements and hereditaments, and all divisions and appropriations of the monies, goods and valuable securities, or any part of the real or personal estate, of which on or before the said Fifth day of June the Body Corporate of which they are the Council, whether in their own right or as Trustees for charitable or other purposes, was seized or possessed, which shall have been made or contracted between the said Fifth day of June and the day of the declaration of their election; and for that purpose, if it shall appear to the said Council that there is ground for believing that any such purchase, sale, lease or demise, or such contract or such division or appropriation of the premises, was collusively made for no consideration, or for an inadequate consideration, it shall be lawful for the Council of such Borough, at any time within Six calendar Months next after the first Election of Councillors under this Act shall have been declared in such Borough, upon notice of their intention being first given in the Dublin Gazette, and also

affixed

affixed on the outer door of the Town Hall, or in some public place within the Borough, to cause the value of the lands, tenements, hereditaments and premises in question to be inquired of and found by a jury of twelve indifferent men of the county in which, or adjoining to which in the case of all counties of cities and towns corporate, such lands, tenements, hereditaments, or premises do lie; and in order thereto, the said Council is empowered to summon and call before such jury all persons having the custody and possession of any deed or agreement concerning the said lands, tenements, hereditaments and premises made or entered into since the said Fifth day of June, and to cause all such deeds and agreements to be produced before the said jury and examined by them, and to examine upon oath every person who shall be thought necessary to be examined (which oath the Mayor is hereby empowered to administer); and the Council shall, by ordering a view or otherwise, use all lawful means for the information as well of themselves as of the said jury in the premises; and the jury shall find the value of the said lands, tenements, hereditaments and premises, and the consideration which shall have been given, and also that which ought of right to have been given, for the purchase, sale, lease, demise or appropriation thereof, according to the terms of such purchase, sale, lease, demise, contract or appropriation, and taking into account all the circumstances under which the same shall have taken place; and if the jury by their oaths shall find that no consideration, or a consideration less than that which they shall have so found to be the value which ought therefore to have been given, shall have been collusively given nor contracted to be given by the terms of any such purchase, sale, lease, demise, contract or appropriation, the party to such purchase, sale, lease, demise, contract or appropriation shall have his option either to re-convey and and restore the lands, tenements, hereditaments and premises in question, and to abandon the contract to which he shall have been party, upon receipt in each case of the consideration, if any, which he shall have given for the same, or to give therefore in each case such additional consideration, so that the whole consideration given shall be that which ought of right to have been given, so found by the jury as aforesaid; and in every such case as last aforesaid the additional consideration given or to be given shall be indorsed on the original deed or conveyance; and unless he shall so do within One calendar Month next after the finding of the jury, every such purchase, sale, lease, demise, contract and conveyance shall be absolutely void and of none effect as against the said Body Corporate and their successors; and in every case in which any such contract shall have been abandoned as aforesaid, or in which any such purchase, sale, lease, demise, contract or conveyance shall become void and of none effect, under the provisions of this Act, the party who would otherwise

otherwise have had the benefit of the same, shall be remitted to his former estate, title and interest (if any) in the premises as if no such contract, purchase, sale, lease or demise had been made or entered into; and for summoning and returning such juries, and for imposing fines on the Sheriff, his deputy, bailiff or agent, and on the persons summoned and returned on the said jury, and on any person required to give evidence, who shall in this behalf contravene the provisions of this Act, the Council of every such Borough shall have all the powers which the Superior Courts of Record in Dublin have; and all the costs of the said jury, and of all witnesses tendered by the said Council to be examined before the said jury, shall in every case be borne by the Council and paid out of the Borough Fund: Provided nevertheless, That it shall be lawful for His Majesty, if He shall think fit, by the advice of His Privy Council, upon petition to Him setting forth the special circumstances under which any purchase, sale, lease, demise, contract or appropriation of any of the said lands, tenements, hereditaments and premises shall have been made since the Fifth day of June, to order that the same shall not be called in question under the provisions of this Act; and in such case as last aforesaid the same shall not be called in question or set aside or affected under the provisions of this Act: Provided always, That in every case in which such petition shall have been presented it shall be lawful for His Majesty, if He shall think fit, to enlarge the time within which (in case His Majesty shall not think fit to make such order as aforesaid) the Council may have power as aforesaid to call in question any purchase, sale, lease, demise, contract or appropriation referred to in such petition: Provided always, That nothing herein contained shall be construed to give or shall give any effect or validity to any sale, demise or other disposition of or any agreement relating to any lands, tenements, hereditaments or other property which at any time belonged to any corporate body, but that the validity of such agreement, sale, demise or other disposition shall be liable to be questioned in any Courts of Law or Equity by the Council of the Borough, or any Burgess or Freeman, or of the person, as fully as if this Act had not been passed.

94.
Councils may
make Bye-
laws in which
the Crown
may appoint
salaries
Justices.

And be it Enacted, That if the Council of any Borough shall think it requisite that a salaried Police Magistrate or Magistrates be appointed within such Borough, such Council is hereby empowered to make a bye-law fixing the amount of the salary which he or they are to receive in that behalf; and such bye-law so made by any Council as aforesaid shall be transmitted to the Lord Lieutenant of Ireland, and the Lord Lieutenant thereupon shall be authorized to appoint so many fit persons as are specified in the said bye-law (being Barristers at Law of not less than Six Years' standing), to be during

during His Majesty's pleasure Police Magistrate or Magistrates and
 a Justice or Justices of the Peace for such Borough, and to direct
 that such sum shall be paid quarterly out of the Borough Fund of
 such Borough as will be sufficient to pay such yearly salary to each
 5 of the Justices so assigned as last aforesaid, not exceeding in the
 whole the salary mentioned in the prayer of such petition, clear of
 all fees or deductions, as to the Lord Lieutenant shall seem fit; and
 the Treasurer of such Borough shall thereupon pay to each Justice
 so assigned as last aforesaid, out of the Borough Fund of such
 10 Borough, the salary so directed to be paid, by Four equal quarterly
 payments, and in the same proportion up to the time of the death
 of such Justice, or his ceasing to act under such assignment as
 aforesaid; provided that in every case of vacancy of the office of
 Police Magistrate in any Borough aforesaid no new appointment of
 15 Police Magistrate in such Borough shall be made until the Council
 shall again make application to the Lord Lieutenant in that behalf,
 and as in the case of the first appointment of a Police Magistrate
 in such Borough.

And be it Enacted, That the Council of every Borough to which
 20 a separate Commission of the Peace shall be granted under the Pro-
 visions of this Act shall be authorized and required to provide and
 furnish One or more fit and suitable office or offices, to be called
 "The Police Office" or Offices of the Borough, for the purpose of
 transacting the business of the Justices of the Borough, and to pay
 25 from time to time out of the Borough Fund such sums as may be
 necessary for providing, upholding and furnishing, and for the
 necessary expenses of such Police Office or Offices; and the Council
 of every such Borough shall, in case the Borough Fund shall not be
 sufficient, or in case there shall be no Borough Fund, have the
 30 power of including in and paying out of the Borough Rate of such
 Borough such sum as shall be required for providing, upholding and
 furnishing, and for the necessary expenses of such Police Office or
 Offices; provided that no room in any house licensed as a victual-
 ling house or alehouse shall be used for the purpose of any such
 35 Police Office.

95.
 Council to
 provide a
 Police Office.

And be it Enacted, That every person assigned to keep the peace
 within any Borough under the provisions of this Act, or any of
 them, shall, during the continuance of such assignment, execute the
 duties of a Justice of the Peace in and for the Borough for which
 40 he shall have been so assigned, although he may not have such
 qualification by estate as is required by law in the case of other
 persons being Justices of the Peace for a county, provided that
 such person be not disqualified by law to act as a Justice of the
 Peace for any other cause or upon any other account than in

96.
 Justices need
 not be qual-
 ified by
 Estate.

respect of estate, and although such person may not be a Burgess of the Borough in and for which he shall have been assigned to act as a Justice of the Peace; and that every summons for the appearance of any person, or warrant to compel such appearance, or warrant for the apprehension of any person charged with any offence, or search warrant issued by any Justice of the Peace acting in and for any Borough in any matter within his jurisdiction, may be respectively served and executed within any County in which the said Borough shall be situated, or within any distance not exceeding Seven Miles from such Borough, and within such limits as aforesaid, shall have the same force and effect as if the same had been originally issued or subsequently indorsed by a Justice of the Peace having jurisdiction in the place where the same shall be served or executed, any law, statute, charter or usage to the contrary notwithstanding; and every such summons and warrant shall and may be lawfully served or executed within such limits as aforesaid by the Constable to whom the same shall be directed, or by any Constable or other Peace Officer of the County, Borough, Parish or place in which the person named in such summons or warrant may be: Provided always, That nothing herein contained shall extend to enable the Council to be elected for the City of Dublin under this Act to appoint any of the Divisional Justices within the Police District of Dublin Metropolis who may now be appointed by the Assembly of the Corporation of the said City, pursuant to the provisions of an Act made in the fifth year of the reign of his late Majesty King George the Fourth, intituled, "An Act to amend an Act of the forty-eighth year of the Reign of his late Majesty, for the more effectual Administration of the Office of a Justice of the Peace, and for more effectual Prevention of Felonies, within the District of Dublin Metropolis," but that the appointment of all the Divisional Justices shall be made by the Lord Lieutenant, and it shall not any longer be requisite that any of the said Divisional Justices shall be an Alderman of the City of Dublin, or a Sheriff's Peer or member of the Common Council of the said City: Provided nevertheless, That no such person, by virtue of such assignment, shall act as a Justice of the Peace at any Court of Gaol Delivery or General or Quarter Sessions, or in making or levying any County Rate, or Rate in the nature of a County Rate.

Council of the City of Dublin not to appoint Divisional Justices under the 30 G. 3. c. 146, and 5 G. 4. c. 102.

97. Justices to appoint a Clerk who shall not be the Town Clerk or of the Council, nor be concerned in the prosecution of Offenders

And he it Enacted, That it shall be lawful for the Justices of every Borough to which a separate Commission of the Peace shall be granted as aforesaid, at their First or any other Meeting, and they are hereby respectively required, to appoint a fit person to be the Clerk to the Justices of such Borough, to be removeable at their pleasure, and so often as there shall be a vacancy in the said

said office of Clerk to the Justices by death, resignation, removal or otherwise: Provided that it shall not be lawful for the said Justices to appoint or continue as such Clerk to the said Justices any Alderman or Councillor of such Borough, or Clerk of the Peace of such Borough, or the partner of such Clerk of the Peace, or any clerk or person in the employ of such Clerk of the Peace: Provided also, That it shall not be lawful for the said Clerk to the Justices, by himself or his partner, to be directly or indirectly interested or employed in the prosecution of any offender committed for trial by the Justices of whom he shall be such clerk as aforesaid, or any of them, at any Court of Gaol Delivery or General or Quarter Sessions; and any person being an Alderman or Councillor or Clerk of the Peace of any Borough, or the partner or clerk or in the employ of such Clerk of the Peace, who shall act as Clerk to the Justices of such Borough, or shall otherwise offend in the premises, shall for every such offence forfeit and pay the sum of One hundred Pounds, one Moiety thereof to the Treasurer of such Borough, to be paid over to the credit and account of the Borough Fund of such Borough, and the other Moiety thereof, with full costs of suit, to any person who will sue for the same in any of His Majesty's Courts of Record at Dublin.

committed by
the Borough
Justices.

AND whereas by the said recited Act of the ninth year of the reign of his late Majesty King GEORGE the Fourth it is, amongst other things, enacted, that upon the application of Twenty-one or more Householdiers residing in any City, Town Corporate, Borough, Market Town, or other Town in Ireland, the lighting, watching, cleansing or paving of which is not provided for under any Act of Parliament, each of such householdiers occupying a dwelling-house or other tenement of the annual value of Twenty Pounds or more, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to authorize the carrying of the said Act into execution, and for that purpose to order and direct that a Meeting shall be convened; BE it Enacted, That so much of the said Act as requires, or may be construed to require, that an application shall be made by any number of householdiers to the Lord Lieutenant or other Chief Governor or Governors in any Borough named in the First Section of the Schedule (C.) to this Act annexed, shall be and the same is hereby repealed, but so as not to affect any Act already done under the provisions of said Act; and that from and after the passing of this Act it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, without any application from any householder of any of the Towns mentioned in the First Section of the said Schedule (C.), to direct that the said recited Act shall be carried into execution in all or any of the said Towns, and for that purpose to direct that any Two or more Justices of the Peace

98.
Certain parts
of 9 G. 4,
repealed, and
other Provi-
sions in lieu
thereof.

resident within Ten Miles of any such Town shall convene a Meeting for the purpose of carrying the said Act, as altered by this Act, into execution, and shall preside thereat; and such order and direction shall be signified and published in the same manner as an order made under the said recited Act is thereby directed to be signified and published; and at every Meeting so convened the persons who under the provisions of the said Act would be entitled to vote at a Meeting convened under the said Act shall be entitled to vote; and it shall not be lawful for the said Meeting to determine that the provisions of the said Act shall not be carried into execution as directed by such order, but the persons so assembled and entitled to vote shall proceed to elect Commissioners, as directed by the said Act, from among the persons qualified according to the provisions of said Act: Provided always, however, That in case a poll shall be demanded, it shall not be continued longer than the hour of Four of the clock in the Afternoon on the Second day of polling, but may be closed before that hour, after the lapse of One Hour without any person having tendered his vote; and the Commissioners elected as aforesaid shall have all the powers, rights and privileges which Commissioners elected under the said recited Act now have, and shall continue in office for the same period, and be bound to perform the same duties, and be liable to the same penalties, as the Commissioners under the said Act are, and new Commissioners to supply their places shall be elected as is provided by the said Act with respect to the Commissioners elected under the provisions thereof

90.
Commissioners to be Trustees of all Acts of which Corporations were ex officio sole trustees, &c.

Commissioners to appoint a limited number of joint Trustees for certain purposes.

And be it further Enacted, That the Commissioners of every Borough named in Schedule (C.) shall be Trustees for executing the powers and provisions of all Acts of Parliament made before the passing of this Act (other than Acts made for securing charitable uses and trusts), and of all trusts (other than charitable uses and trusts) of which the Body Corporate, or any of the members thereof in their corporate capacity, was or were sole Trustees before the passing of this Act, or before the time of the first election of such Commissioners in such Borough; and in every Borough named in the said Schedule (C.) in which the Body Corporate, or a particular or limited number, class or description of members of the Body Corporate, or of persons appointed by the Body Corporate, was or were before the passing of this Act Trustees jointly with other Trustees for the execution of any Act of Parliament, or of any trust, and in every Borough named in the said Schedule (C.) in which the Body Corporate, or any particular or limited number, class or description of members or nominees of the Body Corporate, by any statute, charter, bye-law or custom, was or were before the passing of this Act lawfully appointed to or exercised any powers, duties or functions whatsoever not otherwise herein provided for, and the continuance

tinuance of which is not inconsistent with the provisions of this Act, the Commissioners elected or to be elected as aforesaid of such Borough, on the day named in such Act as last aforesaid, or in the deed or will by which such trust is created for a new election, nomination or appointment of Trustees, or on which such new election, nomination or appointment has usually been made, (and if there shall be no such day named or usually observed, then on the First day of January in every year), shall appoint the like number of persons, properly qualified, or as near as may be, as there were theretofore members or nominees of such Corporate Body who in right of their office were such Trustees, or charged with the execution of such powers, duties and functions, in room of the members or nominees of such Corporate Body ceasing to be Trustees, or ceasing to exercise such powers, duties and functions by virtue of this Act; and in every case of extraordinary vacancy among the Trustees or persons so appointed, shall forthwith appoint one other person in the room of the person by whom such vacancy has been made, and to hold his trust or office for such time as the person by whom such vacancy has been made would regularly have held it.

And be it Enacted, That, notwithstanding any thing in this Act contained, every member of any Body Corporate who in his corporate capacity, and every nominee of any Body Corporate, or any particular number, class or description of members of such Body Corporate who at the time of the passing of this Act shall be for a definite number of years or other shorter time a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed; and if a Trustee for an indefinite time, or for life, or for so long as he shall be a member or of a particular class or description of such Body Corporate, then until the First day of January in the year One thousand eight hundred and Thirty-seven, and no longer; and every Commissioner appointed under the provisions of this Act to be a Trustee of such Acts or Trusts as last aforesaid shall continue to be such Trustee until the time herein provided for the new appointment of a Trustee in his room, notwithstanding that he may have ceased to be a Commissioner; and in case any particular member or officer of any of the said Bodies Corporate shall have been appointed by any such Act, or by any such trust deed or will as last aforesaid, to perform during a definite number of years or other shorter time any specific powers, duties or functions whatsoever, the person who at the time of the passing of this Act shall be the person designated and qualified to perform the same shall continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed; and if appointed for an indefinite

100.
Present
Trustees of
certain Acts
continued for
a definite
time.

time, or for life, or for so long as he shall be a member of a particular class or description of such Body Corporate, then until the First day of January in the year One thousand eight hundred and Thirty-seven, and no longer.

101.
Powers vested
in trustees
may be trans-
ferred to
Commissioners.

AND whereas it may be expedient that the powers now vested in the Trustees or Commissioners appointed under sundry Acts of Parliament for paving or lighting or cleansing, or supplying with water or improving certain Boroughs named in the said Schedule (C.), or certain parts thereof, save and except as hereinafter mentioned, should be transferred to and vested in the Commissioners elected or to be elected as aforesaid in such Boroughs respectively; BE it Enacted, That the Trustees or Commissioners appointed by virtue of any such Act of Parliament as last aforesaid, wherein the Trustees, or the persons whose Trustees they may be, are not beneficially interested, may, if it shall seem to them expedient, at a meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees by any such Act or Acts of Parliament as aforesaid to the said Commissioners of such Borough, and the said Commissioners of such Borough shall thenceforth be Trustees for executing the several powers and provisions of any such Act or Acts of Parliament, and shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively.

102.
Property of
the Corporation
vested in the Com-
missioners.

And be it further Enacted, That on the first election of Commissioners under the said recited Act and this Act, in any of the Towns mentioned in the said Schedule (C.) in which Commissioners have not been elected and are now acting under the said Act, all the manors, advowsons, messuages, town halls, public and other buildings, lands, rents, hereditaments, leasehold estates, goods, chattels, money, debts, stocks, funds, securities, personal estate and effects, and all other property whatsoever and wheresoever, and of what nature or kind soever, of or to which any Body Corporate named in the said Schedule (A.) to this Act annexed, or any one or more of the members of such Body Corporate in his or their corporate capacity, is or are or shall be seised or possessed or entitled for any estate or interest whatsoever (except property held in trust for any charitable uses or trusts), and all the estate, right, title and interest of such Bodies Corporate, member or members, shall be and the same are hereby vested in the Commissioners to be appointed by virtue of this Act, subject to such mortgages, charges, debts and incumbrances, rents, contracts, covenants and conditions as the same respectively shall then be subject or liable to and in each of the said Towns.

And

And be it further Enacted, That every person and Body Corporate who shall owe any sum of money to any of the said Bodies Corporate named in the said Schedules shall pay the same, together with all interest (if any) due or to accrue due for the same to the Council or Commissioners to be elected by virtue of this Act, or their Treasurer; and all rents and sums of money which shall be due and payable, or accruing due and payable, to any of the said Bodies Corporate shall become and be due and payable to the said Council or Commissioners, and shall and may be collected and recovered by the like ways and means, and with the same penalties in respect thereof, and in like manner, as the Bodies Corporate to whom the same respectively shall be due or payable might have collected and recovered the same respectively if this Act had not been passed; and all conveyances, contracts, agreements, bonds, covenants and securities made or entered into with or in favour of any of the said Bodies Corporate shall be good, valid and effectual in favour of the said Commissioners, and may be enforced in the same manner to all intents and purposes as any of the said Council or Bodies Corporate might have enforced the same if this Act had not been made.

103.
Debts and
Contracts of
Corporations
may be en-
forced by the
Commis-
sioners.

And be it further Enacted, That every person and Body Corporate who shall claim to be entitled, or would thereafter, if this Act had not been passed, have become entitled to any sum of money owing from or payable by any of the said Bodies Corporate named in the said Schedules, or shall claim any part of the property of any such Body Corporate, in respect of any mortgage, charge, conveyance, contract, agreement, bond, covenant or security which shall have been made or entered into with or in favour of him or them, by any of the said Bodies Corporate, shall and may recover or enforce the same as against the property of such Body Corporate respectively by this Act vested in the said Council or Commissioners, by the same actions, suits, remedies or proceedings against the said Council or Commissioners, and in the same manner as he or they respectively might have recovered or enforced the same against such Body Corporate respectively if this Act had not been made.

104.
Property
vested in the
Commis-
sioners to be
subject to the
claims of
Creditors, &c.
of the Corpora-
tions.

AND whereas it may be expedient that the powers now vested in the Trustees or Commissioners appointed under sundry Acts of Parliament for paving or lighting or cleansing, or supplying with water, or improving certain Boroughs named in the said Schedule (C.), or certain parts thereof, save and except as hereinafter mentioned, should be transferred to and vested in the Commissioners elected or to be elected as aforesaid in such Boroughs respectively; BE it Enacted, That the Trustees or Commissioners appointed by virtue of any such Act of Parliament as last aforesaid, wherein the Trustees,

105.
Powers vested
in Trustees
may be trans-
ferred to
Commis-
sioners.

or the persons whose Trustees they may be, are not beneficially interested, may, if it shall seem to them expedient, at a meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees by any such Act or Acts of Parliament as aforesaid, to the said Commissioners of such Borough, and the said Commissioners of such Borough shall thenceforth be Trustees for executing the several powers and provisions of any such Act or Acts of Parliament, and shall have the same powers, and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively.

106.
Commissioners to be called. "The Commissioners of Corporate Property," and to be a Corporation for the purposes of this Act.

And be it further Enacted, That the Commissioners to be elected as aforesaid, shall and may have full power to purchase and hold lands, tenements and hereditaments for the purposes of this Act, and may sue and be sued in the name of their Clerk for the time being.

107.
Receipts of the Treasurer to be effectual discharges.

And be it further Enacted, That the receipt or receipts of any Treasurer of the said Council or Commissioners, for any purchase-monies, rents or profits, or other sum or sums of money payable unto him by virtue of this Act, shall be a sufficient and effectual discharge, or sufficient and effectual discharges for the money in such receipt or receipts expressed or acknowledged to be received; and the purchaser or purchasers to whom the same respectively shall be given shall not afterwards be answerable or accountable for the misapplication or non-application of the money in such receipt or receipts expressed or acknowledged to be received.

108.
Officers to account, &c. according to the Orders of the Council of Commissioners.

And be it Enacted, That every Treasurer, Town Clerk, or other officer appointed by the Town Council or any Commissioners shall, at such times during the continuance of his office, or within Three calendar Months after the expiration of his office, and in such manner as the said Council or Commissioners shall direct, deliver to the said Council or Commissioners, or to such person as they shall authorize for that purpose, a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his office, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper vouchers for such payments, and also a list of the names of all such persons as shall not have paid the monies due from them for the purposes of this Act, and of the amount due from each of them; and every such officer shall pay all such monies as shall remain due from him to the Treasurer.

Summary
remedy
against
Officers for
not account-
ing, &c.

5 surer for the time being, or to such person as the said Council or
 Commissioners shall authorize to receive the same; and if any such
 officer shall refuse or wilfully neglect to deliver such account, or
 the vouchers relating to such account, or such list as aforesaid, or
 to make payment as aforesaid, or shall refuse or wilfully neglect to
 10 deliver to the said Council or Commissioners, or to such person as
 they shall authorize, within Three Days after being thereunto
 required, by notice in writing under the hands of Two or more of
 the said Council or Commissioners, to be given to or left at the last
 15 place of abode of such officer, all books, papers and writings in
 his custody or power, relating to the execution of this Act, or to
 give satisfaction to the said Council or Commissioners, or to such
 other person as aforesaid, respecting the same, then and in every
 such case, upon complaint made on behalf of the said Council or
 20 Commissioners, by such person as they shall authorize for that pur-
 pose, of any such refusal or wilful neglect as aforesaid, to any Justice
 of the Peace for the County, or other jurisdiction wherein such
 officer so refusing or neglecting shall be or reside, such Justice is
 hereby authorized and required to issue a warrant under his hand
 25 and seal for bringing such officer before any Two Justices of the
 Peace for such County or jurisdiction; and upon the said officer
 appearing, or not being found, it shall be lawful for such Justices to
 bear and determine the matter in a summary way; and if it shall
 appear to such Justices that any monies remain due from such
 30 officer, such Justices may and they are hereby authorized and
 required, upon nonpayment thereof, by warrant under their hands
 and seals, to cause such monies to be levied by distress and sale of
 the goods of such officer; and if sufficient goods shall not be found
 to satisfy the said monies, and the charges of the distress, or if it
 35 shall appear to such Justices that such officer has refused or wilfully
 neglected to deliver such account, or the vouchers relating thereto,
 or such list as aforesaid, or that any books, papers or writings
 relating to the execution of this Act remain in the hands or in the
 custody or power of such officer, and that he has refused or wilfully
 40 neglected to deliver the same, or to give satisfaction respecting the
 same as aforesaid, then and in every such case such Justices shall
 and they are hereby required to commit such offender to the Com-
 mon Gaol or House of Correction for the County or jurisdiction
 where such offender shall be or reside, there to remain without bail
 until he shall have paid such monies as aforesaid, or shall have com-
 pounded with the Council or Commissioners for such monies, and
 shall have paid such composition in such manner as they shall ap-
 point (which composition the said Council or Commissioners are
 hereby empowered to make and receive), or until he shall have
 delivered a true account as aforesaid, together with such vouchers
 and list as aforesaid, or until he shall have delivered up such books,
 papers

Provido.

*Remedy by
Action.*

papers and writings, or have given satisfaction in respect thereof, to the said Council or Commissioners, or to such other person as aforesaid, as the case may be: Provided always, That no person so committed shall be detained in prison for want of sufficient distress only, for a longer space of time than Three calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any such officer so offending as aforesaid, or against any surety for any such officer, but such officer shall not be sued by action and also proceeded against in a summary manner by virtue of this Act for the same cause.

109.
Commissioners to ascertain and collect the Property and Revenues of Corporations.

And be it further Enacted, That the said Council or Commissioners shall, with all convenient speed, ascertain and collect all the real and personal property belonging to every of the said Bodies Corporate named in the said Schedules to this Act annexed, and which shall become vested in the said Council or Commissioners by virtue of this Act, and shall ascertain the revenue and income produced thereby, and all the charges and incumbrance upon and the out-goings and debts payable in respect of the same.

110.
Commissioners empowered to bring and defend Actions and compromise and settle Accounts.

And be it further Enacted, That it shall be lawful for the said Council or Commissioners to commence and prosecute any actions, suits or proceedings for collecting and recovering the property of the said Bodies Corporate respectively, and to discontinue or compromise any such action, suit or proceedings, and to allow any time which they may think proper for payment of any money due and owing to them in respect thereof, and also to pay any debt or sum of money claimed to be due from any of the said Bodies Corporate, and to be payable out of such property upon any evidence which they may think proper to admit, and to defend or compromise any action, suit or other proceeding which may be brought against them by virtue of this Act, and to adjust and settle any account or accounts depending between any of the said Bodies Corporate and any person or persons or other Body Corporate or Bodies Corporate, and submit to arbitration any difference between any such Body Corporate, or the said Council or Commissioners, and any other person or persons, relating to the property of the said Bodies Corporate or any of them, and abide by and perform the award of any arbitrator or arbitrators respecting the same, and to do, perform and execute all such deeds and things as they the said Council or Commissioners shall think expedient for ascertaining and collecting in the most advantageous manner the property and settling all claims and demands relating thereto.

111.
Commissioners to keep a separate

And be it further Enacted, That the said Commissioners shall cause an account to be kept of the property belonging to every of the

the said Bodies Corporate named in the said Schedule (C.) to this Act annexed, and vested in the said Commissioners by virtue of this Act, and of all rents, profits, revenue, income and sums of money to be received in respect thereof or produced therefrom, and of the application and appropriation thereof, and the property comprised in every such account shall be called the Town Fund of the Town in which the Body Corporate to which it belonged has been constituted; and all sums of money received by the Treasurer of the said Commissioners in respect of the property comprised in every such account shall, when the same shall not be directed by the said Commissioners to be immediately applied to any other purpose, be paid into the Bank of Ireland in the name of the Treasurer of the said Commissioners, to an account called the Account of the Town Fund of the Town of which the same shall form part.

rate Account of the property of every Corporation, which shall be called the Town Fund of the Town.

And be it further Enacted, That in every case in which a Body Corporate, or any particular class, number or description of members, or the governing Body of any Body Corporate, now is or are in their corporate capacity, and not as charitable Trustees, according to the meaning and provisions of this Act, seized or possessed of any manors, lands, tenements or hereditaments whereunto any advowson or right of nomination or presentation to any Benefice or Ecclesiastical Preferment is appendant or appurtenant, or of any advowson in gross, or hath or have any right or title to nominate or present to any Benefice or Ecclesiastical Preferment, the said Commissioners or Council, as the case shall be, shall cause every such advowson and every such right of nomination and presentation to be sold at such time and in such manner as the Ecclesiastical Commissioners for Ireland may direct, so that the best price may be obtained for the same; and the said Council or Commissioners to be elected by virtue of this Act, or elected as aforesaid, are hereby authorized and required, with the consent of the said Ecclesiastical Commissioners, or any Three or more of them, in writing under their hands, to convey and assure such advowson or such right of nomination or presentation as aforesaid to the purchaser or purchasers thereof respectively, his or their heirs, executors, administrators and assigns, or to such uses as he or they shall direct; and the proceeds of every such sale shall be paid to the Treasurer of the said Council or Commissioners, and shall form part of the Borough or Town Fund of the Town: Provided always, That in any case of vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or nomination of the Bishop or Ordinary of the diocese in which such Benefice or Ecclesiastical Preferment is situated.

112.
Sale of Advowsons, &c.

113.
Warden and
Vicars Choral
of Galway to
be continued
during their
Lives.

Provided always, and be it further Enacted, That the present Wardens of the Royal College or Collegiate Church of Galway shall continue to be such Warden, in the same manner as if the Body Corporate called "The Mayor, Bailiff, Burgesses and Commonalty of the Town of Galway" continued in force and elected such Warden once in every year in such manner as such election is now required to be made, during his life, or until he shall resign or be legally removed from such Wardenship; and that the Body Corporate called "The Warden and Vicars Choral of the College or Collegiate Church of Galway" shall continue in force unless and until the same shall be dissolved; and the Vicars Choral of the said College or Collegiate Church shall respectively continue to be such Vicars Choral during their respective lives, or until they respectively shall die, or shall resign or be removed from such Benefices respectively, or the said College shall be dissolved; and that any resignation made by the said present Warden and Vicars Choral, or any of them, of their respective Benefices, to the Archbishop of Tuam for the time being, shall be valid and effectual; and in case of the dissolution of the said College or Collegiate Church all the ecclesiastical jurisdiction and powers belonging thereto, or to the Warden thereof, shall be and are hereby vested in the Archbishop of Tuam for the time being.

114.
Council or
Commissioners to pay
Debts due
from Corporations.

And be it further Enacted, That the said Council or Commissioners shall with all convenient speed pay or make due provision for payment, out of the Borough or Town Fund of any Town, of the outgoings, rates and charges payable in respect of the property therein comprised, and of all charges and incumbrances payable thereout, and of all debts, annuities, pensions, allowances and sums of money payable by the Body Corporate to whom the property comprised in such Town Fund shall have belonged.

115.
Council or
Commissioners may lease
and manage
Revenues.

And be it further Enacted, That it shall be lawful for the said Council or Commissioners from time to time to cause any repairs to be made to any buildings or premises which they may think expedient, and to insure any buildings from loss or damage by fire, and pay the expenses of such repairs and insurances out of the said Town or Borough Fund, and also cause to be invested in their names, or in the name of their Treasurer, any monies forming part of any such fund in any stocks, funds or securities, and alter and vary such stocks, funds and securities as they shall think proper, and in all other respects manage the property comprised in every or any such fund, and invest or dispose of the same and all revenues thereof in such manner as they shall think most advantageous, and may sell and alienate or demise and lease the property comprised in such fund, in the same manner and with the same approbation, and subject

subject to the same conditions as the Council of any Borough named in the said Schedules (A.) and (B.)

And be it further Enacted, That in the meantime and until Parliament shall otherwise provide, the said Commissioners to be appointed by virtue of this Act shall, subject to the payment of any debt payable out of any Town Fund, or such part thereof as such Commissioners shall from time to time be required or deem it expedient to pay, and the interest thereof, or of so much thereof as shall for the time being remain unpaid, and all other charges and expenses to be paid thereout, as hereinbefore is mentioned, pay and apply the surplus income or revenue of every or any such Town Fund, in every Town where there was at the time of passing this Act any Court of Conscience, in or towards the payment of the salary of the Judge of the Court of Conscience, and the salaries of officers and other expenses of such Court, or such of them as ought to be paid thereout; and the residue thereof (if any), or where there shall be no such Court of Conscience, salaries or other expenses, the whole of such surplus income and revenue, shall be applied by the Commissioners in aid or diminution of the rates to be received by them under the provisions of the said Act of the ninth year of the reign of his late Majesty; and in case the surplus income of the Town Fund of any Town shall be more than sufficient for the purposes aforesaid, the residue thereof shall be applied by the said Commissioners for the public benefit of the inhabitants of such Town respectively.

116.
Salaries of Recorder, Treasurer and other Officers, and Election Expenses to be paid out of such Fund.

And be it further Enacted, That the said Council and Commissioners shall with all convenient speed, and within Two Years next after the passing of this Act, make a report or reports in writing to the said Lord Lieutenant, and thereby state the nature and amount of the property belonging to every of the said Bodies Corporate named in the said Schedules to this Act annexed, and also the particulars and amount of the incumbrances and debts and outgoings charged upon and payable out of the same, and the means by which such incumbrances and debts can be paid or satisfied in the most advantageous manner, and also any leases which they shall have made or shall think proper to make, and the manner in which any monies produced therefrom, or received from the revenue or income thereof, shall have been or shall be proposed to be expended or applied, and also the probable amount of the value and income thereof, after all the incumbrances and debts payable thereout shall have been discharged or satisfied.

117.
Council and Commissioners to make Reports to the Lord Lieutenant.

And be it further Enacted, That the said Council or Commissioners, with the consent of the said Lord Lieutenant (testified by some writing under his hand), shall, out of the monies forming

118.
Council or Commissioners may purchase outstanding Charges, Leases, &c.

Council or
Commissioners may
abolish Tolls

part of any Borough or Town Fund, purchase such annuities, leases or other interests charged upon or existing in any property forming part of such fund as they shall think it advantageous to purchase; and that the said Council or Commissioners shall and they are hereby empowered, with the consent of the Lord Lieutenant to be signified by some writing under his hand, to reduce or abolish any tolls forming part of any fund, after full payment or satisfaction of all debts and charges upon the said tolls, or to which they may be liable, which it may be thought desirable to reduce or abolish, and also to purchase any tolls which it may be thought desirable to purchase in order that the same may be abolished or reduced, and after the conveyance thereof to them to reduce or abolish the same; and the said Council or Commissioners shall cause notice to be given of the reduction or abolition of all such tolls by advertisement in the Dublin Gazette, and also in one or more newspaper or newspapers usually circulated in the town in which such tolls respectively shall be payable.

119.
Commissioners may appropriate public Buildings to police purposes for the benefit of the Town.

And be it further Enacted, That it shall be lawful for the said Council or Commissioners, with the consent of the said Lord Lieutenant (testified by some writing under his hand), to appropriate and settle any town hall, police office, or other public building in any town forming part of the Borough or Town Fund of such town respectively, for the purposes of a court for the holding of quarter sessions, or a court of record for civil actions, or a court of conscience or police station.

120.
Commissioners may remove Officers.

And be it Enacted, That it shall be lawful for the said Commissioners, Town Clerk, Bailiff, Treasurer, or Chamberlain, or other ministerial or executive officer of any Borough and Body Corporate named in the said Schedule (C.) to this Act annexed, and every such person or officer, who shall be in possession or receipt of any monies, goods, valuable securities, books or papers belonging to or concerning the Body Corporate whose officer he is, shall deliver up and account for the same to the Commissioners elected or to be elected as aforesaid; and in case he shall refuse or wilfully neglect to deliver such accounts, vouchers and lists, or to make such payments, or to deliver such books, papers and writings, or to give satisfaction respecting the same, as is hereinbefore provided in the case of officers appointed by such Commissioners, every such person or officer may be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of officers appointed by such Commissioners.

121.
Officers to receive Compensation on removal.

And be it Enacted, That the said Commissioners shall take into consideration and determine upon the amount and nature of compensation

5 pensation which they shall think ought to be given to any officer
 of any Body Corporate whose office shall be abolished, or who shall
 be removed from his office; and as soon as they shall have deter-
 mined upon the amount or nature of the compensation to be given
 10 in any such case, they shall cause notice in writing to be given to
 such officer, and in case the claim of such officer shall be admitted
 in part and disallowed in part, such notice shall specify the parti-
 culars in which the same shall have been admitted and disallowed
 respectively; and in case the officer or person preferring such claim
 15 shall think himself aggrieved by the determination of the Commis-
 sioners thereon, it shall be lawful for the officer or person preferring
 such claim to appeal to the Lords Commissioners of His Majesty's
 Treasury, who shall thereupon make such order as to them shall
 seem just; and such order, signed by Three or more of such Lords
 20 Commissioners shall be binding on all parties: Provided also, That
 the officer or person preferring such claim, if any Commissioners
 shall so require, upon receiving notice in writing, shall from time
 to time attend at any meeting or adjourned meeting of the Com-
 missioners for the investigation of such claim, and then and there,
 25 upon his oath or solemn affirmation, or his declaration, to be taken
 or made before the said Commissioners (any one of whom is hereby
 authorized to administer the same), shall answer all such questions
 as shall be asked by any Commissioner touching the matters set
 forth in the statement subscribed by such person as aforesaid, and
 30 produce all books, papers and writings in his possession, custody or
 power relating thereto: Provided also, That every such officer who
 shall be continued in or re-appointed to such office under the provisions
 of this Act, and who shall be subsequently removed from such office
 for any cause other than such misconduct as would warrant removal
 35 from any office held during good behaviour, shall be entitled to
 compensation in like manner as if he had been forthwith removed
 under the provisions of this Act, and had not been continued in or
 re-appointed to such office.

And be it Enacted, That the amount of the sum or annuity
 35 payable to any person as such compensation as aforesaid, if not
 forthwith paid, shall be secured to such person by a certificate or
 certificates in writing signed by the Chairman of the Commissioners,
 stating that the Town Fund of the town in which such person shall
 be or have been in office is liable to the payment to such person, his
 40 executors or administrators or assigns, of the amount of such sum,
 with interest, and all arrears thereof (if any) accrued due before the
 date of such certificate respectively; and every such certificate shall
 be prepared and executed at the expense of the Town Fund, and
 delivered to the person entitled to such compensation as soon as
 conveniently may be after the amount thereof shall have been deter-

mined as aforesaid by the said Commissioners, or shall have been determined in the event of such appeal as aforesaid, by order of the said Lords Commissioners.

123.
Certificates
to be given
to persons
entitled to
Pensions, &c

And be it Enacted, That when any person shall be entitled to any pension, allowance, stipend or sum of money payable out of any Town Fund which shall be sufficient for payment thereof, the said Commissioners shall give a certificate as aforesaid to such person that such Town Fund is liable to the payment to such person, his executors and administrators, of such pension, allowance, stipend or sum of money, with all arrears thereof, if any, accrued due before the date of such certificate; and such certificate shall be prepared and executed at the expense of the Town Fund.

124.
Accounts of
receipts and
disbursements
to be kept,
audited and
published.

And be it further Enacted, That the Commissioners to be elected by virtue of this Act shall, in books to be kept for that purpose, enter true accounts of all sums of money received and paid on account of every or any such Town Fund respectively, and in the month of January in every year the said Commissioners shall cause to be made out in writing, and to be printed, a full abstract of the accounts relating to every such Town Fund respectively for the year, and a copy thereof shall be deposited with such person resident in such town as the Commissioners shall appoint, and shall be open to the inspection of all the inhabitants of such town, and copies thereof shall be delivered to all inhabitants of such town applying for the same, on payment of One Shilling for each copy.

125.
Proceedings
of Commissioners
to be recorded,
and submitted to
Lord Lieutenant.

And be it further Enacted, That the Commissioners to be elected by virtue of this Act shall cause all their proceedings to be entered in writing in a book or books, which shall be submitted to the Lord Lieutenant as often as he shall require the same.

126.
Commissioners
to report Proceedings
to Lord Lieutenant
when required.

And be it further Enacted, That the said Commissioners to be elected by virtue of this Act shall from time to time, at such times as the said Lord Lieutenant shall direct, give to the said Lord Lieutenant requiring the same, such information respecting their proceedings or any part thereof as the said Lord Lieutenant shall require.

127.
Sheriffs of
City and
County of
Londonderry
to continue
until next
Sheriff is
appointed.

And be it Enacted, That the persons who at present fill the office of Sheriffs of the City and County of Londonderry, or the survivor of them, shall be and remain the Sheriffs or Sheriff of the said City and County of Londonderry, and shall fulfil and execute the duties of the said office until the Sheriff of the said City and County to be appointed as hereinafter is mentioned shall come into office, and no longer.

And

And be it Enacted, That in the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick and Waterford, and in the Counties of the Towns of Carriekfergus, Drogheda and Galway, the Lord Lieutenant shall, before the Twenty-ninth day of September in this year, appoint a fit person to execute the office of Sheriff, with the like duties and powers as the Sheriffs or the persons filling the office of Sheriff in the said Cities and Counties respectively would have had if this Act had not passed, who shall continue in his office unless removed by the Lord Lieutenant; and in case a vacancy shall be occasioned in the office of Sheriff of such Borough during such period, by the death of the person who shall have been appointed to such office, or his removal, the Lord Lieutenant shall appoint another fit person to be the Sheriff instead of the person so dying or removed, who shall hold such office for the period during which the person so dying would have held it, unless removed as aforesaid, and so from time to time as occasion may require; and every person who at the time of the passing of this Act shall hold the office or execute the duties of Sheriff in the said Counties of Cities and Towns respectively shall continue to hold and execute the same until the first appointment of a Sheriff therein under the provisions of this Act, and no longer; and in every year after this year a Sheriff of the City and County of Londonderry, and also a Sheriff of each of the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick and Waterford, and of each of the Counties of the Towns of Carriekfergus, Drogheda and Galway, shall be nominated and appointed by His Majesty, His heirs and successors, at the same time or times and in the same manner to all intents and purposes as the Sheriff of any County at large in Ireland is nominated and appointed and comes into office.

128.
Sheriffs of
Cities and
Towns which
are Counties
to be ap-
pointed by
the Lord
Lieutenant
before
29 Sept. 1836,
and after-
wards by the
Crown.

And he it further Enacted, That such of the powers and duties of any Mayor, Bailiff, Provost or Protreeve of any Town named in the said Schedules to this Act annexed as are exercised and performed in other places by Sheriffs shall cease, and the like duties shall be performed and executed in such Towns by the Sheriff of such Town being a County of a City or County of a Town, or when it shall not be a County of a City or Town, by the Sheriff of the County in which such Town is situated.

129.
Sheriffs to
exercise the
same powers
in Towns
within the
Act as in
other parts
of their
Counties.

And be it further Enacted, That after the passing of this Act the Returning Officer at all Elections of a Member or Members of Parliament for any Town or Borough named in the said Schedules to this Act annexed shall be the Sheriff of the County in which such Town or Borough is situated, or his Deputy, and shall hold such Election and give notice thereof within the time within which a Sheriff of a City in Ireland is now bound so to do.

130.
Sheriffs to be
the Return-
ing Officers
under the
Reform Act.

131.
Coroner and
Clerk of the
Peace of
Londonderry
to continue
in Office, and
in future to
be elected
as in Counties.

And be it further Enacted, That the persons who at present fill the offices of Coroner and Clerk of the Peace of the said City and County of Londonderry shall be and remain the Coroner and Clerk of the Peace of the City and County of Londonderry so long as they respectively shall well behave themselves in such offices; and whenever such offices respectively shall become vacant, persons shall be elected to such offices respectively in the same manner as persons are elected to the offices of Coroner and Clerk of the Peace respectively of any other County at large in Ireland.

132.
In certain
Boroughs
Council to
appoint a
Coroner.

And be it Enacted, That the Council of every Borough in 10
which a separate Court of Quarter Sessions of the Peace shall be
holden as is hereinafter provided, shall, within Ten Days next after
the grant of the said Court shall have been signified to the Council
of such Borough, appoint a fit person, not being an Alderman or
Councillor, to be Coroner of such Borough so long as he shall well 15
behave himself in his office of Coroner, and shall fill up every
vacancy in the office of Coroner of the Borough occurring by death,
resignation or removal, within Ten Days next after such vacancy;
and whenever there shall be no Coroner appointed and acting under
this Act, the Coroner of the adjoining Counties, or any of them, 20
shall take any inquisition which could be taken by a Coroner ap-
pointed under this Act, and have all the powers and authorities of
such Coroner: Provided always, That every Coroner of a County
of a City or County of a Town appointed under this Act shall be
entitled to be paid for the inquisition which he shall duly take in 25
the manner in which the payments to be made to Coroners of Coun-
ties are now provided for by law, and not otherwise: Provided
always, That no person shall be appointed Coroner as aforesaid who
shall not be seised or possessed of such an estate in some part of
Ireland as would qualify him to serve as a Coroner for a County 30
according to the Acts now in force in Ireland in relation to the
the office of Coroner; and every such person shall, before he acts as
such Coroner, take and subscribe all oaths now required to be taken
by a Coroner in Ireland: Provided also, That every Coroner to be
appointed under this Act shall be liable to be removed by the Court 35
of Chaucery in Ireland in the same manner as any Coroner in
Ireland may now be removed by that Court: Provided always,
That every Coroner of every County of a City and County of a
Town in Ireland shall continue to hold the office of Coroner of such
County of a City or County of a Town respectively, and execute 40
all duties heretofore belonging to his office, in the same manner as
if this Act had not been made, until a Coroner shall be appointed
under the provisions of this Act, and no longer: and Provided also,
That it shall be lawful for the Council of any City to appoint a
second Coroner for such City, if required by the Lord Lieutenant
so to do, but not otherwise.

And

And be it further Enacted, That on or before the Tenth day of January in every year after the passing of this Act, every Coroner appointed under this Act shall make and transmit to the Lord Lieutenant of Ireland a return in writing, according to such form as the said Lord Lieutenant from time to time shall direct, of all the cases in which he may have been called upon to hold an inquest touching the cause of death of any person during the year ending on the Thirty-first day of December immediately preceding, and a copy of the finding of the Jury on every such inquest.

133.
Coroners to
make Returns
to Lord
Lieutenant.

And be it Enacted, That in every Town named in the said Schedules to this Act, not being a County of a City or County of a Town, and to which no such Court of separate Quarter Sessions shall be granted, no person after the Thirty-first day of December in this present year shall take any inquisition which belongs to the office of Coroner within such Town, save only the Coroner for the County at large in which such Town is situated.

134.
Coroner of
the County to
act in other
Towns.

And be it Enacted, That it shall be lawful for His Majesty from time to time to assign to so many persons as he shall think proper His Majesty's commission to act as Justices of the Peace in and for every County of a City and County of a Town, and in and for the City and Liberties of Londonderry.

135.
Commission
of Justices of
Peace to be
granted to
Towns which
are Counties.

And be it further Enacted, That a separate Court of Quarter Sessions of the Peace shall be holden in the Borough of Belfast, and shall continue and be holden in every Town in Ireland, being a County of a City or County of a Town, and in the City and Liberties of Londonderry.

136.
Separate
Quarter Ses-
sions to be
hold in Coun-
ties of Cities
and Counties
of Towns.

And be it Enacted, That in every such County of a City and County of a Town, and in the City and Liberties of Londonderry, of which the present Recorder or Deputy Recorder is a Barrister of Six Years' standing, such Recorder or Deputy Recorder being qualified as aforesaid, or such of them as shall be acting in the performance of the duties of such office at the time of the passing of this Act, shall be continued or appointed Recorder of such County, or of such City and Liberties, under the provisions of this Act, and shall be paid out of the Town Fund, for or towards his salary, an annual sum of the same amount as the salary or part thereof now payable to him by the Body Corporate; and in case there shall be no salary now payable to him, then such annual sum as the Lord Lieutenant shall appoint, not exceeding the sum of One hundred and fifty Pounds: Provided nevertheless, That nothing herein contained shall be construed to give any better or other Title to any such Recorder than he would have had to hold

137.
Recorder to
be appointed
by Lord
Lieutenant
in Towns
which are
Counties.

such office if this Act had not been passed; and that any proceeding or information in the nature of a Quo Warranto or otherwise for the purpose of removing any such Recorder may be instituted or continued as if this Act had not been passed, and that for every such County of a City or County of a Town, or City and Liberties, in which there shall be no such Recorder or Deputy Recorder, or in which such Recorder shall be ousted from his office in consequence of any such proceeding or information, and that for every such County of a City and County of a Town where there is no such Recorder or Deputy Recorder the Lord Lieutenant may appoint a fit person, being a Barrister at Law of not less than Six Years' standing, to be and who shall be called the Recorder of such County, and shall hold such office during his good behaviour; and the Lord Lieutenant, upon any vacancy in any such office of Recorder, whether a Recorder shall have been continued in or appointed to such office by virtue of this Act, may appoint another fit person, being a Barrister at Law of not less than Six Years' standing, to be the Recorder in the place of the person so making such vacancy; and the council of every Borough which shall be desirous that a separate Court of Quarter Sessions of the Peace shall be or continue to be holden in and for such Borough shall signify the same by petition to the Lord Lieutenant and Privy Council in Ireland, setting forth the grounds of the application and the salary which they are willing to pay to the Recorder in that behalf; and if His Majesty shall be pleased thereupon to grant that a separate Court of Quarter Sessions of the Peace shall thenceforward be holden in and for such Borough, the Lord Lieutenant may appoint for such Borough, or for any Two or more of such Boroughs conjointly, a fit person, being a Barrister at Law of not less than Six Years' standing, who shall be and be called the Recorder of such Borough or Boroughs, and shall hold such office during his good behaviour; and the Lord Lieutenant, upon any vacancy in any such office, may appoint another fit person, being a Barrister at Law of not less than Six Years' standing, to be Recorder in the place of the person so making such vacancy; and the Recorder for the time being of any County of a City or County of a Town, or of the City and Liberties of Londonderry, or of any such Borough, shall be a Justice of the Peace of and for such County or such Cities and Liberties or Borough, although he may not have such qualification by estates as other is required by law in the case of any person being a Justice of the Peace for a County; and it shall be lawful for the said Lord Lieutenant to direct that an annual salary, not exceeding the sum mentioned in such petition, shall be paid to every Recorder to be appointed as aforesaid by the Treasurer out of the Borough Fund of such Town: Provided always, That no person being such Recorder as aforesaid shall be eligible to serve in Parliament for the

Recorder to
be a Justice
of the Peace
for the Bo-
rough.

Not to be
Police
Magistrate.

the County of a City or County of a Town of which he shall be such Recorder, but nothing herein contained shall be construed to disqualify any such Recorder from being eligible to sit in Parliament otherwise than is herein provided; and no such Recorder shall
 5 be a Police Magistrate of such Town: Provided also, That in case of sickness or unavoidable absence, any such Recorder shall be empowered, with the consent of the Lord Lieutenant of Ireland, to appoint a Deputy Recorder, being a Barrister of Six Years' standing, not for him at the Sessions of the Peace then next ensuing, and in
 10 such Court of Record, for any time not exceeding Three calendar Months, and no longer or otherwise.

Provided nevertheless, and be it Enacted, That no Recorder appointed as aforesaid shall be capable of acting as such Recorder until he shall have taken the oaths provided to be taken by Justices
 15 of the Peace, except any oath as to qualification by estate, and until he shall have made before any Two or more of the Justices of the Peace of such County of a City or County of a Town, or any adjoining County (who are hereby authorized and required to administer the same), a Declaration in the following form; (that is
 20 to say)

"I, A. B. do hereby declare, That I will faithfully and impartially execute the office of Recorder for the City, County of the City, or County of the Town of _____ or City
 25 and Liberties or Borough [as the case may be], according to the best of my judgment and ability."

And be it further Enacted, That in every Borough being a County of a City or County of a Town wherein the office of Clerk of the Crown or Clerk of the Peace is now by law in the appointment of the Corporation of such Borough, or any member or officer thereof, or
 30 held by any officer thereof in right of his office, and in every Borough not being a County of a City or County of a Town to which a separate Commission of the Peace shall be granted, it shall and may be lawful for the Lord Lieutenant to grant from time to time to any person the offices of Clerk of the Peace and Clerk of the Crown
 35 of such Borough, or either of them, and to appoint such other officers and servants as shall be necessary for carrying on the business and executing the process of the Court of Session.

And be it Enacted, That the Recorder of every Borough to which such separate Court of Sessions of the Peace shall be granted as
 40 aforesaid, shall hold once in every month, or at such other and more frequent times as the said Recorder in his discretion may think fit, or as the Lord Lieutenant shall think fit to direct, a Court of

597.

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Sessions

138.
Recorder to
make Decla-
ration before
acting.

139.
Lord Lieu-
tenant to
appoint a
Clerk of the
Crown.

140.
Sessions of
the Peace to
be held for
the Borough.

Recorder to
be Chief
Judge.

Sessions of the Peace in and for such Borough of which Court the Recorder of such Borough shall sit as the sole Judge; and such Court of Sessions of the Peace shall be a Court of Record, and shall have cognizance of all crimes, offences and matters whatsoever committed within such Borough cognizable by any Courts of Quarter Sessions of the Peace for Counties at large in Ireland, and said Recorder shall have power to do all things necessary for exercising such jurisdiction as fully as any such last-mentioned Court, notwithstanding his being such sole Judge; but no such Recorder shall have by virtue thereof any power to make or levy any rate, or to grant any license or authority to any person to keep an inn, alehouse or victualling house, or to sell excisable liquor by retail, or exercise any of the powers herein specially vested in the Council of such Borough.

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141.
Presentments
to be made in
Court of
King's
Bench.

Provided always, and be it further Enacted, That all Presentments for the raising of any money which may now be made at the Quarter Sessions in the City of Dublin shall be hereafter made by the Grand Jury of the said City impannelled in the Court of King's Bench in Michaelmas and Easter Terms in each year, or one of them.

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142.
Clerk of the
Peace, in the
absence of
the Recorder,
may open and
adjourn the
Court.

And be it Enacted, That in the absence of the Recorder and Deputy Recorder, the Clerk of the Peace or other person discharging the duties of such office, at the proper times appointed for the holding of such Court of Sessions of the Peace in and for such Town, and the Registrar of the Court of Record for the trial of civil actions at the proper time for the holding of such Court of Record, shall be and they are hereby respectively authorized and required to open the said respective courts, and to adjourn over the holding of the same, and to respite all recognizances conditioned for appearing at the same, until such further day as such Clerk of the Peace or Registrar then and there, and so from time to time, shall cause to be proclaimed: Provided nevertheless, That nothing in this Act contained shall authorize or require any such Clerk of the Peace or Registrar to sit as a Judge of the said Court for the trial of offenders, or other Court of Record as aforesaid, or to do any other act in the character of a Judge of such Court respectively, save only in opening and adjourning such Court, and respiting the said recognizances in manner aforesaid.

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143.
Capital Juris-
dictions and
all other
criminal
Jurisdictions
in Boroughs,
other than are
specified in
this Act,
abolished.

And be it Enacted, That after the First day of January One thousand eight hundred and Thirty-seven all powers and jurisdictions to try treasons, capital felonies, and all other criminal jurisdictions whatsoever, granted or confirmed by any law, statute, letters patent, grant, or charter whatsoever, to any mayor, bailiff, alderman,

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Alderman, Recorder or other corporate or chartered officer, or corporate or chartered Justice of the Peace whomsoever, in any Borough named in the said Schedules to this Act annexed, and all right of any Body Corporate in any Borough, or any of the members thereof, by virtue of any law, statute, letters patent, grant or charter whatsoever, to elect or nominate any Justices to keep the peace in or for any such Borough, or by any members of any such Corporate Body to act as such Justices of the Peace in or for any of the last-named Boroughs, other than is herein declared, shall cease: Provided nevertheless, That nothing in this Act contained shall be construed to restrain or prevent the holding of any Court of Gaol Delivery or General or Quarter Sessions of the Peace in and for any Borough for which such Court may now be holden, until the said First day of January, but every such Court may be holden in like manner and with the same powers, until the said First day of January, as if this Act had not been passed.

And be it Enacted, That from and after the passing of this Act so much of all laws, statutes and usages, and so much of all royal and other charters, grants and letters patent heretofore granted to any Borough or Body Corporate named in the said Schedules to this Act annexed, whereby such Borough, or any place within the precincts or liberties of the same, or such Body Corporate, or the freemen or inhabitants of the same, claims or claim to be exempted and released from the jurisdiction and office of the Lord High Admiral of England, or of the High Court of the Admiralty of England or Ireland, or whereby any Body Corporate, or any Mayor, Bailiff, Recorder, Steward or other chartered or corporate officer of any Borough has or claims any thing belonging to the office of Admiral, whether or not to be exercised by virtue of any commission to them or any of them to be directed, shall be and the same is hereby repealed.

Provided always, and be it further Enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the rights, privileges, powers or authorities vested in or enjoyed by the Society of the Governor and Assistants of London of the new Plantation in Ulster within the realm of Ireland, under or by virtue of any charter or charters heretofore granted to them by the Crown.

And be it Enacted, That after the said First day of January every person who shall then stand committed to take his trial at any Court of Gaol Delivery, or General or Quarter Sessions of the Peace, for any Borough, charged with any offence which the Recorder of such Borough Town named in the said Schedules to this Act annexed,

144.
Chartered
Admiralty
Jurisdiction
abolished.

145.
Having the
Rights of the
Governor and
Assistants of
London of
new Plantation
in Ulster.

146.
Officers
committed to
Borough
Sessions
whose jurisdiction
is
taken away,
to be tried in
the adjoining
County.

597.

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not

not being a County of a City or County of a Town, except the City and Liberties of Londonderry, may be lawfully removed and committed to the Gaol or House of Correction of the County in which such Town is situated, there to remain and take his trial at the next Court of Quarter Sessions for such County, if the offence is cognizable by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Gaol Delivery at their next circuit; and all persons bound by recognizance to prosecute and give evidence against such offenders shall be bound to appear to prosecute and give their evidence at the Court at which such offenders shall be tried as aforesaid; and all such recognizances and all depositions relating to such charges shall be transmitted to the proper officer of the Court where such offenders shall be tried; and the Sheriff, Under Sheriff, gaolers, and other officers of the County in which such offenders shall be so tried, are hereby authorized and required, in every such case, to receive every prisoner so committed to their custody, and him safely to keep until delivered by due course of law; and the Judges of Assize and others named in His Majesty's Commissions of Oyer and Terminer and Gaol Delivery, or the Justices for the County, as the case may be, in which such offenders shall be tried, are hereby authorized and required to hear and determine all such cases, and to order the payment of the usual and fit expenses of the prosecutors and witnesses, and all other costs and expenses which in like case may be directed to be paid by order of the Court.

147.
County Justices to have Jurisdiction in all Towns within the County.

And be it Enacted, That after the First day of January One thousand eight hundred and Thirty-seven, the Justices assigned or hereafter to be assigned to keep the Peace in and for the County in which any Town in and for which a separate Court of Quarter Sessions of the Peace shall not be holden is situated, shall exercise the jurisdiction of Justices of the Peace in and for such Town as fully as by law they and each of them can or ought to do in and for the said County.

148.
Jurisdiction of Court of Record.

And be it Enacted, That in every County of a City and County of a Town, and in the City and Liberties of Londonderry, and in every Borough in which His Majesty may grant as aforesaid a separate Court of Quarter Sessions of the Peace, there shall continue to be holden a Court of Record for the trial of civil actions, and the same shall be called the Court of Record of the City or Town within which the same shall be holden, and the Recorder of such County of a City or County of a Town, or of the said City and Liberties or Borough, shall be the sole Judge of such Court; and the Recorder shall have jurisdiction to hold and continue such Court for the purpose of disposing of all causes pending therein on the said First day of January One thousand eight hundred and Thirty-seven, or at the time

time of the appointment of such Recorder, at such times and places, and with such rules and practice, and with the same powers and jurisdiction, as belonged to the said Court at the time of the passing of this Act; and in all other causes such Recorder shall have jurisdiction to proceed either by process of attachment of goods or by serviceable or other process against the person, according to the provisions hereinafter contained, with authority to try, in a summary way, as hereinafter provided, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed Twenty Pounds, and either the cause of action shall have accrued within such Town or City and Liberties or Borough, or the defendant or one of the defendants shall be resident therein, and also actions of ejectment between Landlord and Tenant wherein the annual rent of the premises of which possession is sought to be recovered shall not exceed Twenty Pounds, and also to try, according to the course of the common law, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed One hundred Pounds, and the cause of action shall have accrued within such Town or City and Liberties or Borough; and such actions shall not be removed or removable to any of His Majesty's Superior Courts, by writ of Certiorari or any other process, save, in cases where the proceeding is according to the course of the common law, writ of error after judgment: Provided also, That every such Judge respectively from time to time may make rules for regulating the practice of such Court over which he presides, but so that no such rules shall be of force until they shall have been allowed and confirmed by the Judges of His Majesty's Court of King's Bench in Dublin, or any Three of them.

And be it further Enacted, That in every County of a City or County of a Town, and in the said City and Liberties of Londonderry, and in the Borough of Belfast, the Lord Lieutenant shall appoint some fit person to be Registrar of such Court of Record; and upon vacancy in the said office shall appoint a fit person to supply the same; and the person so appointed shall be Registrar of such Court, and the Lord Lieutenant shall appoint such other officers and servants as he shall deem necessary for carrying on the business and executing the process of such Court; and in every Borough, being a County of a City or County of a Town, wherein the office of Clerk of the Crown or Clerk of the Peace is now by law in the appointment of the Corporation of such Borough, or any member or officer thereof, or held by any officer thereof, in right of

149.
Lord Lieutenant to appoint the Registrar of the Court of Record.

his office, and in every Borough, not being a County of a City or County of a Town to which a separate commission of the Peace shall be granted, it shall and may be lawful for the Lord Lieutenant to grant from time to time to any person the offices of Clerk of the Peace and Clerk of the Crown of such Borough, or either of them; provided that no Registrar or other officer of such Court shall by himself or his partner practise as an attorney in such Court.

150.
Existing Suits
not to abate
by reason of
the change of
Jurisdiction.

And be it Enacted, That no suit commenced in any Court of Record in any Town before the passing of this Act shall abate by reason of any change that shall have been worked in the constitution of such Court by the provisions of this Act, but that the same may be heard and determined as if it had been commenced before such Judge according to the provisions heretofore contained in that behalf; and every action, suit and proceeding in which any Corporate Body named in the Schedules to this Act annexed is a party or interested, shall and may be carried on by or against the said Corporate Body or the Commissioners to be elected as mentioned in this Act.

151.
Who to be
Jurors.

3 & 4 W. 4,
c. 91.

And be it Enacted, That every person, being a Burgess of any Borough wherein there shall be a separate Court of Sessions of the Peace or a Court of Record for the trial of civil actions (who would be qualified to serve on a jury according to the provisions of an Act passed in the third and fourth years of the reign of His present Majesty, intituled, "An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland"), shall be qualified and liable to serve on Grand Juries in such Borough, and also upon Juries for the trial of all issues joined in any Court of Sessions of the Peace, and in any Court of Record for the trial of civil actions triable within the Borough of which such person shall be a Burgess; and the Clerk of the Peace of every such Borough shall give public notice of the time and place of holding every such Sessions of the Peace Ten Days at least before the holding thereof, and in Boroughs, being Counties of Cities or Counties of Towns the Sheriff thereof, and in other Boroughs the Clerk of the Peace thereof, shall, Seven Days at the least before the holding thereof, cause to be summoned a sufficient number of persons, being qualified and liable as aforesaid, to serve as Grand Jurors at such Sessions, and in Boroughs being Counties as aforesaid the Sheriff, and in other Boroughs the Clerk of the Peace and Registrar of the Court of Record respectively, shall also cause to be summoned not less than Thirty-six nor more than Sixty persons so liable and qualified as aforesaid to serve as Jurors at every such Sessions, and at the holding of every such Court of Record for the trial of causes; and such summons shall be made by showing to the person to be summoned, or in case he shall be absent from the usual place of his

his abode, by leaving with some person therein inhabiting, a note in writing under the hand of such Sheriff, Clerk of the Peace, or Registrar respectively, containing the substance of such summons; and such Sheriff or Clerk of the Peace respectively shall make out
 5 a list of the names of such persons so summoned as Grand Jurors, and such Sheriff, Clerk of the Peace, or Registrar respectively shall also make out a panel of such persons so summoned other than Grand Jurors; and such list and panel shall respectively contain therein the Christian names and surnames, places of abode,
 10 and descriptions of the several persons therein named; and if any person having been duly summoned to attend on any Jury shall not attend in pursuance of such summons, or being thrice called shall not answer to his name, or after his appearance wilfully withdraw himself from the presence of the Court, the Court shall
 15 impose such fine upon every person so making default (unless some reasonable excuse shall be proved to the satisfaction of the Court) as the Court shall think meet; and if any person on whom such fine shall be imposed shall refuse to pay the same to the person who shall be authorized by the Court to receive the same, it shall
 20 be lawful for the Court, then or at its next sitting, by order of the Court, signed by the Clerk of the Peace or Registrar respectively, to cause to be levied, by distress and sale of the goods of the person on whom such fine shall have been imposed, every such fine and the reasonable charges of such distress and sale; and every fine
 25 so received shall be paid to the Treasurer of the Borough, to be by him carried to the account of the Borough fund hereinbefore mentioned.

Fine for Non-attendance.

And be it Enacted, That after the passing of this Act, every member of the Council for the time being of the Borough, and
 30 Justice assigned to keep the Peace therein, and every Officer of Police therein, and the Treasurer and Town Clerk for the time being of every such Borough, shall be exempt and disqualified from serving on any Jury summoned within such Borough respectively, save and except the Juries summoned for the Assize or General
 35 Gaol Delivery.

^{152.}
*Justices, &c.
 exempt from
 serving on
 Juries.*

And be it Enacted, That in all cases of debt or liquidated damages in which the plaintiff shall be desirous of proceeding in any such Court of Record, by way of attachment of goods, the plaintiff or one of the plaintiffs, or some person able to depose to the facts of
 40 his own knowledge, shall first make affidavit before the Registrar of such Court, of the cause of action, and that the same has accrued within such County of a City, County of a Town, or City and Liberties, or Borough, or else, where the debt or damages do not exceed Twenty Pounds, that the defendant, or one of the defendants,

^{153.}
*Court of
 Record, pro-
 ceeding in:
 Attachment.*

is resident therein (describing such defendant by his name, addition, and residence particularly), and that the deponent is apprehensive that such debt or damages is or are in danger of being lost to the plaintiff unless aided by process of the said Court to attach the goods of the defendant, and thereupon it shall be lawful for such Registrar to issue an attachment, directed to the proper Officer of the Court, to be appointed in that behalf as aforesaid, requiring him, according to the Form Number 1 in Schedule (B.) to this Act annexed, to attach the goods of the defendant within the County of a City or County of a Town, or City and Liberties, or Borough, and thereupon such officer is hereby authorized and required to seize such goods, and to detain the same until the defendant shall have given special bail to render the body, or pay such sums of money as may be adjudged to the plaintiff in that suit.

154.
Foreign
Attachment.

And be it Enacted, That in every County of a City or County of a Town, or in such City and Liberties, in which by usage or charter the goods, monies or credits of the defendant, may by process of foreign attachment be attached in the hands of a third person, such process by foreign attachment may be proceeded upon in the Court of Record of such City or Town, under this Act, with such rules of practice, and with the same powers and jurisdiction, as belonged to the said Court at the time of the passing of this Act: Provided always, That no such foreign attachment shall be issued unless a common attachment against the goods of the defendant shall first have issued, and unless thereupon a further affidavit shall be made as aforesaid, describing the goods, monies or credits sought to be attached in the hands of such third person, and stating that the same belong to the defendant; and such third person, in case he claims a property in such goods, shall be permitted to give bail for the same in manner aforesaid.

155.
Where the
Proceedings
shall be by
Civil Bill.

And be it Enacted, That upon the appearance of the defendant upon any such common attachment, and upon the appearance of the garnishee upon any such foreign attachment, the plaintiff, in all cases where the debt or damages do not exceed Twenty Pounds, shall proceed by way of civil bill thereupon, and not according to the course of the common law, by filing such civil bill in the said Court, and giving notice in writing of such filing, together with a copy of such civil bill, to the party or his attorney in the proceeding.

156.
Form of
Proceeding.

And be it Enacted, That in all such cases, and in all other cases wherein the debt or damages do not exceed Twenty Pounds, and the plaintiff shall elect to proceed by serviceable or other process against the person only in such Court of Record, and in all cases of

of ejectment triable in such Court of Record, the proceeding shall be, as nearly as circumstances will admit, in the forms and according to the course, and with such right of appeal to the Judge of Assize of the County in which such Borough, or any part thereof shall be situate, or to one of the Superior Courts in the City of Dublin, as is by law provided, in cases of Civil Bills determinable before the Assistant Barristers of Counties in Ireland, and in cases where the plaintiff shall proceed in such Court according to the course of the common law, and shall recover in debt or damages an amount not exceeding Twenty Pounds, such plaintiff shall not recover any costs of suit.

And be it Enacted, That any attorney of any of the Superior Courts of Record in Dublin shall be admissible to practise in the Court of Record of any such County of a City or County of a Town, or City and Liberties, or Borough, without payment of any fee or stamp duty upon such his admission, and may continue to practise therein so long as he continues an attorney of some of the Superior Courts of Record aforesaid, and is in all other respects duly qualified to act and practise as such attorney.

157.
Attorney in
Court of
Record.

AND whereas in several of the Towns in Ireland which are not Counties there are Courts of Record for the trial of civil actions, and such Courts when well regulated have been found useful to the inhabitants of the said Towns; BE it Enacted, That from and after the passing of this Act all the powers, authorities, usages and jurisdiction of any existing Court of Record in every Town named in the said Schedules to this Act annexed, which is not a County, except the City and Liberties of Londonderry, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not passed, until the Lord Lieutenant shall think proper to determine the same, and at any time it shall be lawful for the Lord Lieutenant, (by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order; and every such order shall be advertised in the Dublin Gazette, and at the time appointed for that purpose in such order such Court of Record, and all powers, authorities and jurisdictions thereof, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made; and the Lord Lieutenant shall appoint a fit person, being a Barrister of not less than Six Years' standing, to be Judge of such Court during the continuance thereof and his good behaviour, and also fit persons to be the officers of the said Court.

158.
Existing
Courts of
Record to be
continued
until deter-
mined by the
Lord Lieuten-
ant.

159.
Court of
Conscience.

AND whereas in several of the Towns in Ireland there have been Courts for the recovery of small debts in a summary way, commonly called Courts of Conscience, and such Courts, when well regulated, have been found useful to the poorer inhabitants of the said Boroughs, and it is expedient to make new and further provisions for the establishment and regulation of such Courts in certain cases; BE it Enacted, That from and after the passing of this Act all the powers, authorities and jurisdictions of any existing Court for the recovery of small debts, commonly called the Court of Conscience, in every Town named in the said Schedules to this Act annexed, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not passed, until the Lord Lieutenant shall think proper to determine the same; and at any time it shall be lawful for the Lord Lieutenant, by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order, and every such order shall be advertised in the Dublin Gazette; and at the time appointed for that purpose in such order, such Court of Conscience, and all powers, authorities and jurisdictions thereof shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made.

160.
Lord Lieutenant, with
Consent of
Privy Council, may ap-
point a Court
of Conscience
under the
Regulations
of the Act in
the same or
any other
Town.

And be it further Enacted, That in case the Lord Lieutenant, with the advice and consent of His Majesty's Privy Council of Ireland, shall at any time think it expedient that any Court of Conscience now existing shall be continued, or that a Court of Conscience under such regulations as hereinafter are contained, shall be established in any Town named in the Schedules to this Act annexed, where no such Court now exists, then the Lord Lieutenant may appoint a fit person, being a Barrister of not less than Six Years' standing, who shall be and shall be called the Judge of the Court of Conscience for such Town, and shall hold such office during his good behaviour; and in the event of any vacancy in such office, the Lord Lieutenant may appoint a fit person to be such Judge; and there shall be, from and after the appointment of such Judge in such Town, a Court holden for the recovery of small debts, to be called the Court of Conscience of such Borough, the Judge or President of such Court shall have full power and authority to hear and determine in a summary way causes in all small debts between party and party, not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within the said Borough, or the defendant shall reside within the same.

And

And be it further Enacted, That it shall be lawful for the Judge of the Court of Conscience to appoint and remove at his pleasure a clerk and other necessary officers of such Court.

161.
Clerks and other Officers of Courts of Conscience to be appointed by the Lord Lieutenant.

And be it Enacted, That the said Court shall be held at such times and in such place within the said Town as the Lord Lieutenant shall direct and provide, and not otherwise; and that the proceedings in said Court shall be by summons in the form Number 2, specified in the Schedule (F.) to this Act annexed, stating the names of the parties, plaintiff and defendant, the nature and amount of the debt, and the time and place when and where the defendant is required to appear and answer the said claim; and such summons shall be served on the said defendant personally, or, in case of difficulty in effecting personal service, arising from the acts or contrivance of said defendant, by serving same in such manner as the Judge of the said Court shall direct, and in such case a copy of the order for such substitution of service shall be served along with and in the same manner as the summons; and in all cases the summons shall be served in manner aforesaid Twenty-four Hours at the least previously to the hearing of the cause; and in case the said defendant shall appear, or if the plaintiff shall prove by affidavit (which, and all other affidavits in the said Court, the said Judge is hereby empowered to take), the due service of the said summons, or summons and order as aforesaid, the Judge shall proceed to hear the said cause and the statement of the said party or parties, or their attorney or attorneys, and all competent witnesses and other legal evidence produced by them or either of them, and shall determine the same: Provided always, That it shall be lawful for either party to require the other to be examined upon oath touching the said claim, but that neither of the said parties shall be admitted by his own evidence, on oath or otherwise, to support his own case.

162.
Proceedings in.

And be it Enacted, That upon such evidence as shall be adduced, and the admissions of the said parties, if required to be examined as aforesaid, the said Judge shall decide upon the case, and shall make an order either for the payment of the sum claimed by the plaintiff or any part thereof, together with his costs of suit, or for dismissing the said summons, and in such case to order the plaintiff to pay to the defendant his reasonable costs, or may adjourn the cause to some other day, as justice may require; and every such order shall specify a time within which such payment of debt and costs, or of costs, as the case may be, shall be made, either by instalments or otherwise; and every order dismissing such summons shall be expressed therein to be either "on the merits" or "without prejudice to any other proceeding for the said demand;" and

163.
Order of Proceedings in.

in case the party against whom such order for the payment of the said debt and costs, or of such costs, shall be made, shall not pay the amount thereof pursuant to the terms of said order, it shall be lawful for the Judge of the said Court, upon affidavit made of the service of a copy of such order on such party personally, or at his dwelling-house, office or shop, or last known place of residence within the said Borough, and of the nonpayment of any sum of money mentioned in such order, pursuant to the terms thereof, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party.

164.
Books of
Proceedings
to be provided
and kept.

And be it Enacted, That the Judge of every Court of Conscience, or the Clerk of such Court under the orders of the Judge, shall make or cause to be made fair and regular entries in books to be provided by such Clerk, under the direction of the Judge for that purpose, of all judgments, orders, directions, regulations, acts and proceedings of the said Judge in or relating to the execution of the several powers and authorities vested in him, and shall respectively sign the same; and such entries when so signed shall be allowed in evidence in proof of the proceedings of such Court in all Courts whatsoever; and if any person within the jurisdiction of the said Court, after having been duly served with a summons, to be issued by the Clerk thereof, and paid or tendered his reasonable expenses, to attend and give evidence at a time and place in such summons mentioned, on behalf of any plaintiff or defendant, shall refuse or neglect to appear pursuant to such summons, due proof being made of the service of such summons, and no sufficient cause for his nonappearance being shown to the satisfaction of the Court upon affidavit, or if the person so served with such summons shall appear and refuse to give evidence touching the matter in question, then and in every such case it shall be lawful for such Judge, as the case may be, if satisfied upon affidavit that such person not appearing was duly served with such summons, and was a material witness for the party on whose behalf he was so summoned, or that such person appearing and refusing to give evidence as aforesaid was a material witness for the party on whose behalf he was called, to impose any fine not exceeding Fifty Shillings on every such person; and in case such fine shall not be paid forthwith, such fine may be levied by distress and sale of the goods of the offender, by warrant under the hand of such Judge, as the case may be, rendering the overplus (if any), after deducting such fine and the costs and charges of such distress, to the owner of the goods; and such fine, when levied, shall be paid over to the party on whose behalf such person shall have been summoned or called upon to give evidence; and in case any person shall be guilty of a contempt of the said Court it shall be lawful for such Judge to direct that such offender

offender be taken into custody, and any officer of the Court, with or without the assistance of any other person, may take such offender into custody accordingly; and the said Judge shall then examine into such contempt, and then, upon his own view or upon oath of
 5 One or more other persons, impose a fine not exceeding Fifty Shillings for each offence on each offender; and if such fine shall not be forthwith paid, such Judge may commit the offender to any lawful prison within such Borough for any time not exceeding
 10 Twenty Days, or such fine may be levied by distress and sale of the goods of the offender in manner aforesaid, and paid to the Treasurer of the Borough or Town Fund of such Town, to the credit of the Borough Fund, and such offender may be detained in custody until the rising of the Court on the day of his offence, and for One Hour after.

15 And be it Enacted, That the Recorder of every Borough shall and he is hereby required, within Six calendar Months next after his appointment, or within Six calendar Months after the passing of this Act, if he shall be continued as Recorder under the provisions thereof, to make and settle a Table of the Fees which shall be
 20 taken by the Clerk of the Peace, Registrars and officers of the Court of Record, and in those Boroughs in which there shall be a Court of Conscience the Judge of the Court of Conscience shall make and settle a Table of the Fees to be taken by the Registrar and officers of such Court; and such Tables of Fees shall be sub-
 25 mitted to the Chief Justice and other Justices of His Majesty's Court of King's Bench in Ireland; and when such Tables of Fees shall be confirmed and allowed by such Chief Justice or other Justices, or any Three of them, either as such Tables shall have been submitted to them, or with such alterations, additions or abate-
 30 ments as they shall think proper, the fees therein mentioned may thenceforth be lawfully taken by the person therein named to be entitled thereunto; and it shall be lawful for the Recorder or Judge, as the case may be, from time to time, as occasion may require, to make new Tables of Fees to be taken instead of the Fees
 35 contained in the Tables which shall have been made as aforesaid, which new Tables shall be confirmed and allowed in the manner hereinbefore mentioned, otherwise the same shall be of no validity; and that until Tables of the Fees so to be taken in any such Borough shall have been made and confirmed as aforesaid, it shall be lawful
 40 for such Clerk of the Peace at the Sessions for any such Borough to take the fees authorized by the Table for the time being to be taken by the Clerk of the Peace at the Sessions for the County within or adjoining to which such Borough is situated, and for the Registrar and Officers of such Court of Record or Court of Conscience to take the fees usually taken by them before the passing of this Act.

165.
 Fees payable to the Clerk of the Peace, Clerk to the Magistrates, and Registrar and Officers of the Court of Record.

166.
*Clerks to
 Justices to
 be entitled
 to Fees
 chargeable
 under Act
 7 & 8 G. 4.*

And be it Enacted, That in those Boroughs to which a commission of the peace shall have been granted, the Clerk to the Justices shall be entitled to such fees (and no other) as are chargeable by and under an Act passed in the seventh and eighth years of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in Ireland," subject to such orders of the Justices as in that Act provided.

167.
*Table of Fees
 to be hung up.*

And be it Enacted, That the Town Clerk of every Borough shall cause a true copy of the Tables of Fees in force for the time being to be hung up in a conspicuous part of the room in which the business of his office is transacted, and also in the room wherein the Justices of the Peace of such Borough shall sit for transacting their business, and also in the room wherein the Court of Sessions of the Peace for the Borough shall be held, and also in the Court of Record and Court of Conscience of the said Borough respectively.

168.
*Application
 of Penalties.*

And be it Enacted, That when by any Act any penalties or forfeitures are made recoverable in a summary manner before any Justice or Justices of the Peace, and by such Act the same are limited and made payable to His Majesty, or to any Body Corporate named in the Schedules to this Act annexed, in every such case the same, if recovered and adjudged before any Justice of any County of a City or County of a Town, or of the said City and Liberties of Londonderry, or any Justice having jurisdiction in any Borough, shall, notwithstanding any thing in such Act contained, be recovered for and adjudged to be paid to the Treasurer of such Borough or Town for the time being, to the credit and on account of the Borough or Town Fund of such Town; and no such penalty or forfeiture, or share of such penalty or forfeiture, shall in any case be recovered by or adjudged to be paid to any such Body Corporate or any other person than the said Treasurer, unless such person be the informer or the party aggrieved: Provided always, That nothing herein contained shall extend to any penalties or forfeitures recovered under any Act relating to the customs or to trade or navigation, and such for by the direction of the Commissioners of His Majesty's Customs, which shall be paid to such person as the said Commissioners shall direct to receive the same.

169.
*Limitation of
 time for Pro-
 secution of
 Offences
 punishable on
 summary
 Conviction
 under this
 Act, and
 Sentences of
 Offenders.*

AND for the more effectual prosecution of offences punishable upon summary conviction by virtue of this Act, BE it Enacted, That the prosecution for every such offence shall be commenced within Six calendar Months after the commission of the offence, and not otherwise; and that where any person shall be charged, on the oath of a credible witness, with any such offence before a Justice of the Peace

Peace, the Justice may summon the party charged to appear before any two Justices of the Peace acting in and for the Town or County or City or Liberties, or Borough, in which such offence shall have been committed, at a time and place to be named in such summons; and if such party shall not appear accordingly, the Justices of the Peace then and there present (upon proof of the due service of the summons by delivering a copy thereof to the party, or by delivering such copy at the party's usual place of abode to some inmate thereof, and explaining the purport thereof to such inmate), may either proceed to hear and determine the case in the absence of the party, or may issue their warrant for apprehending and bringing such party before them, as they shall think proper.

And be it Enacted, That it shall be lawful for any Justice of the Peace acting in and for any Town or County or City or Liberties or Borough, to issue his summons requiring any person to appear before any such Justices of the Peace for the purpose of giving evidence touching any offence against this Act; and if any person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved before the Justices of the Peace then and there present, or if any person appearing in obedience to such summons shall refuse to be examined on oath touching any such offence by the Justices then and there present, every person so offending shall, on conviction thereof before the said Justices, or any other Justices of the Peace, forfeit and pay such sum of money, not exceeding Five Pounds, as to the convicting Justices shall seem meet; and no person, although liable to any rate in aid or diminution of which any part of the income of any Borough or Town Fund shall be applied, shall be deemed an incompetent witness in proof of any offence against this Act by reason of any penalty or forfeiture for such offence being applicable to the use of such Town Fund; and no Justice of the Peace shall be disabled from acting in the execution of this Act by reason of his being liable to any such rate; nor shall any Burgess or Householder be deemed an incompetent witness in any suit or proceeding at law or in equity by reason of his being a member of any Body Corporate, or interested in the Borough or Town Fund.

170.
Power to
summon
Witnesses.

Penalty for
disobedience
of Summons,
&c.

No Witness
or Justice to
be incompetent
on the
ground of
misdealing.

And be it Enacted, That the Justices of the Peace by whom any person shall be summarily convicted and adjudged to pay any sum of money for any offence against this Act may adjudge that such person shall pay the same either immediately or within such period as the said Justices shall think fit; and in case such sum of money shall not be paid at the time so appointed, the same shall be levied by distress and sale of the goods and chattels of the offender

171.
Payment of
Penalties,
and mode of
levying the
same.

offender, with the reasonable charges of such distress; and it shall be lawful for such Justices to order the offender to be detained in safe custody until return can be conveniently made to the Warrant of Distress, unless the said offender shall give sufficient security, to the satisfaction of such Justices, for his or her appearance before them, on such day as shall be appointed for the return of such Warrant of Distress, such day not being more than Eight Days from the day of taking the security, and which security the said Justices are hereby empowered to take, by way of recognizance or otherwise; and if upon the return of such Warrant it shall appear that no sufficient distress can be laid thereupon, or in case it shall appear to the satisfaction of such Justices, either by the confession of the offender or otherwise, that the offender hath not sufficient goods and chattels whereon such sum of money and costs may be levied were a Warrant of Distress issued, such Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any such Justices and they are hereby authorized and required to cause such offender to be imprisoned, with or without hard labour, in the Common Gaol or House of Correction, as to the convicting Justices shall seem meet, for any term not exceeding One calendar Month where the sum to be paid shall not exceed Five Pounds, and for any term not exceeding Two calendar Months in any other case; the imprisonment to cease in each of the cases aforesaid upon payment of the sum due.

172.
Form of
Conclusion.

And be it Enacted, That the Justices of the Peace before whom 25
any person shall be summarily convicted of any offence against this
Act may cause the conviction to be drawn up in the following
form of words, or in any other words to the like effect, as the case
may require: (that is to say)

to wit. } " BE it Remembered, That on the day of 30
in the year of our Lord in
the town of in the county of A. O.
is convicted before us, J. P. and J. J. P., Two of His Majesty's
Justices of the Peace for the said County [or Town, or other- 35
wise, as the case may be], for that the said A. O. did [here
specify the offence, and the time and place when and where
the same was committed, as the case may be]; and we do
adjudge that the said A. O. shall for the said offence forfeit
the sum of and shall pay the same immediately
[or shall pay the same on or before the day 40
of] to the Treasurer of the Borough or
Town Fund of the said Town, to be by him applied according to
the directions of the Statute in that case made and provided.
Given under our hands the day and year firstabove mentioned."

And

And be it Enacted, That any person who shall think himself aggrieved by any summary conviction in pursuance of this Act may appeal to the next Court of General or Quarter Sessions of the Peace to be holden not less than Twelve Days after such conviction for the county or division of the county or for the town wherein the cause of complaint shall have arisen: Provided, That such person shall give to the complainant a notice in writing of such appeal, and of the cause and matter thereof, within Three Days after such conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in custody until the Sessions, or within such Three Days enter into a recognizance with a sufficient surety before a Justice of the Peace, conditioned personally to appear at the said Sessions, and to try such appeal, and to abide the judgment of the Court thereupon, and to pay such costs as shall be by the Court awarded; and upon such notice being given, and such recognizance entered into, the Justice before whom the same shall be entered into shall liberate such person if in custody; and the Court at such Sessions shall hear and determine the matter of the appeal, and shall make such order therein, with or without costs to either party, as to the Court shall seem meet; and in case of the dismissal of the appeal or the affirmance of the conviction shall order and adjudge the offender to be dealt with and punished according to the conviction, and to pay such costs as shall be awarded, and shall, if necessary, issue process for enforcing such judgment.

And be it Enacted, That no conviction, order, warrant or other matter made or purporting to be made by virtue of this Act shall be quashed for want of form; and no warrant of commitment shall be held void by reason of any defect therein, provided that it be therein alleged that it is founded on a conviction, and there be a good and valid conviction to sustain the same; and where any distress shall be made for levying any money by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress or other proceedings relating thereto, nor shall the party distraining be deemed a trespasser ab initio on account of any irregularity afterwards committed by him, but the person aggrieved by such irregularity may recover full satisfaction for the special damage, if any, in an action upon the case.

AND for the protection of persons acting in the execution of this Act, BE it Enacted, That all actions and prosecutions to be commenced against any person for any thing done in pursuance of this Act shall be commenced within Twelve calendar Months after the

Notice of
Action.

General Issue.

Tender of
Amends, &c.

fact committed, and not otherwise; and notice in writing of such action and of the cause thereof shall be given to the defendant One calendar Month at least before the commencement of the action; and in any such action the defendant may plead the General Issue, and give this Act and the special matter in evidence at any trial to be had thereupon; and no Plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court after such action, by or on behalf of the defendant; and if a verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such action after issue joined, or if upon demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases.

176.

Periods connected with first Registration and Elections may be deferred by Orders in Council.

AND whereas it may happen that the several provisions of this Act cannot be carried into effect within the several periods in the present year hereinbefore specified and limited in that behalf; BE it therefore Enacted, That it shall be lawful for the Lord Lieutenant of Ireland, if he shall think fit, by the advice of His Majesty's Privy Council there, to order any days and times for doing in this present year the several matters required or authorized by this Act to be done, in lieu of the several days and times for the present year hereinbefore specified, or any of them; and in such case all matters mentioned in such order shall be done in this present year, on and within such days and times as shall be mentioned respectively in that behalf, in such order as if the days and times mentioned in such order had in every instance been mentioned in this Act, instead of the days and times hereinbefore respectively mentioned in that behalf, and not otherwise: Provided always, That nothing herein contained shall authorize the Lord Lieutenant to appoint any days or times other than are hereinbefore specified for any matters to be done after the expiration of this present year: Provided also, That no person shall be entitled to be enrolled in the Burgess Roll of any Borough in this present year unless he would have been entitled on the last day of August in this year to have his name included in some Churchwarden's List, if such List had been made out on the said last day of August.

177.
The King empowered to grant Charters of Incorporation.

AND whereas sundry Towns in Ireland not named in the Schedules to this Act annexed are not Towns Corporate, and in some others the Corporations have been extinct, and it may be expedient that several of them should be incorporated; BE it Enacted, That if any of the inhabitant householders of any Town in Ireland shall petition His Majesty to grant to them a Charter of Incorporation, it shall

shall be lawful for His Majesty, by any such Charter, if he shall think fit to grant the same, to extend to the inhabitants of any such town within the district to be set forth in such Charter, all or any of the powers and provisions in this Act contained; and in such case the Mayor of such Town or Borough shall be and become the Returning Officer at all elections of a Member to serve in Parliament for such Town or Borough: Provided nevertheless, That notice of every such petition, and of the time when it shall please His Majesty to order that the same be taken into consideration by His Privy Council, shall be published by Royal Proclamation in the Dublin Gazette, One Month at least before such petition shall be so considered.

And be it Enacted, That the Council in each City or Town in Ireland in which there now is or hereafter may be a Municipal Corporation under this Act, shall before the First day of March in each year, transmit to the Lord Lieutenant or Chief Governor (for the time being) of Ireland, a statement of all monies received and expended on account of such Corporation within the year preceding, which statement shall be prepared in such form and manner as the Lord Lieutenant shall direct, and such accounts shall refer to the year ended upon the First of January of the year in which such account is hereby required to be so transmitted; and an abstract of such statements and accounts, under general heads, shall be laid before both Houses of Parliament, during their sitting, in the same year in which they are hereby required to be transmitted as aforesaid.

178.
Councils to transmit yearly Accounts of Income and Expenditure to Lord Lieutenant, and an Abstract thereof to be laid before Parliament.

And be it Enacted, That in the construction of this Act the words "Body Corporate" shall be construed to include all Guilds and Fraternities of, within, or connected with such Bodies Corporate respectively; and the word "Burgess" shall be construed to mean Citizen in the case of a City; and the word "County" shall be construed to mean County or Riding; and the word "Town" shall be construed to mean City, Borough or Town; and the word "Borough" shall be construed to mean City, Borough or Town Corporate; and every provision for the formation of a Burgess Roll, or for the election of a Mayor, Alderman or Councillors, or of Auditors or Assessors, or relating to the powers or duties of any Mayor or Councillor, Auditors or Assessors, shall be applied to such Boroughs only as are in the Schedules (A.) and (B.); and the word "Trustees" shall be construed to mean Trustees, Commissioners, or Directors, or the persons charged with the execution of a trust, by whatever name they are designated; and the word "Parish" shall be construed to extend to any extra-parochial Precinct or Place, as well as a Parish; and the words "Lord Lieutenant" shall be

179.
Interpretation Clause.

construed to mean the Lord Lieutenant, Lords Justices, or other Chief Governor or Governors of Ireland; and that in all things hereinafter provided to be done until the first election of Councillors in any Borough under this Act shall have been declared, the word "Mayor" shall be construed to mean the Chief Officer of a Borough, 5 by whatever name he is now called; or when there may be no such Chief Officer, the Returning Officer at elections of Members to serve in Parliament for such Borough; or when there may be neither any such Chief Officer or Returning Officer, then such person as the Lord Lieutenant for the time being shall, by writing under his hand, 10 appoint to perform the duty of Mayor under the provisions hereinafter contained; and, in describing any person or thing, any word importing the singular number shall be construed to mean also several persons or things respectively, unless there be something in the subject or context repugnant to such construction; and that no 15 misnomer or inaccurate description of any person, Body Corporate, or place named in any Schedule to this Act annexed, or in any Burgess Roll, Ward List, Notice or Voting Paper required by this Act, shall hinder the full operation of this Act with respect to such person or place, provided that such person or place shall be so 20 named as to be commonly understood; and in all cases where an oath or affidavit is required under this Act, the affirmation or declaration of a Quaker, Moravian or Separatist shall be accepted in lieu of such oath or affidavit.

180.
Act may be
altered this
Session.

And be it Enacted, That this Act may be altered or amended by any Act to be passed in this present Session of Parliament.

SCHEDULES

SCHEDULES to which this ACT refers,

SCHEDULE (A.)

BOROUGHES which are to have a COUNCIL.

Borough.	Wards.	Aldermen.	Councillors.	Style of Corporate Body.
BELFAST - - -	5	10	30	The Sovereign, Free Burgesses and Commonalty of the Borough of Belfast.
CORK - - -	8	16	48	The Mayor, Sheriffs and Commonalty of the City of Cork.
DUBLIN - - -	16	16	48	The Right honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin.
GALWAY - - -	5	10	30	The Mayor, Sheriffs, Free Burgesses and Commonalty of the Town and County of the Town of Galway.
KILKENNY - - -	3	6	18	The Mayor and Citizens of the City of Kilkenny. The Portreeve, Burgesses and Commons of the Borough or Town of Irishtown.
LIMERICK - - -	5	10	30	The Mayor, Sheriffs and Citizens of the City of Limerick.
WATERFORD - - -	5	10	30	The Mayor, Sheriffs and Citizens of County of the City of Waterford in the Kingdom of Ireland.
CLONMEL - - -	3	6	18	The Mayor, Free Burgesses and Commonalty of the Town of Clonmel.
DROGHEDA - - -	3	6	18	The Mayor, Sheriffs, Burgesses and Commonalty of the County of the Town of Drogheda.
LONDONDERRY - - -	3	6	18	The Mayor, Commonalty and Citizens of Londonderry.
SLIGO - - -	3	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Sligo.
CARRICKFERGUS - - -	-	6	18	The Mayor, Sheriffs, Burgesses and Commonalty of the Town of Carrickfergus.

Proposed by The Lords, but left out by The Commons.

SCHEDULE (A.)

COUNTIES.

BOROUGH.	STYLE OF CORPORATE BODY.
Carrickfergus	The Mayor, Sheriff, Burgesses and Commonalty of the Town of Carrickfergus.
Cork -	The Mayor, Sheriffs and Commonalty of the City of Cork.
Drogheda -	The Mayor, Sheriffs, Burgesses and Commonalty of the County of the Town of Drogheda.
Dublin -	The Right honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin.
Galway -	The Mayor, Sheriffs, Free Burgesses and Commonalty of the Town and County of the Town of Galway.
Kilkenny -	The Mayor and Citizens of the City of Kilkenny.
Limerick -	The Portreeve, Burgesses and Commons of the Borough or Town of Irishtown.
Waterford -	The Mayor, Sheriffs and Citizens of the City of Limerick.
City and Liberties of Londonderry	The Mayor, Sheriffs and Citizens of County of the City of Waterford, in the Kingdom of Ireland.
	The Mayor, Commonalty and Citizens of Londonderry.

TOWNS NOT COUNTIES.

BOROUGH.	STYLE OF CORPORATE BODY.
Ardee -	The Portreeve, Burgesses and Commons of the Corporation of Ardee.
Armagh -	The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
Athlone -	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
Athy -	The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
Bandon -	The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
Bangor -	The Provost, Free Burgesses and Commonalty of the Borough of Bangor.
Belfast -	The Sovereign, Free Burgesses and Commonalty of the Borough of Belfast.
Belturbet -	The Provost, Free Burgesses and Commonalty of the Borough of Belturbet.
Boyle -	The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
Callan -	The Sovereign, Burgesses and Freemen of Callan.
Carlow -	The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
Cashel -	The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
Charleville -	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.

Schedule (A).—continued.

BOROUGH.	STYLE OF CORPORATE BODY.
Clognakilty -	The Sovereign, Free Burgesses and Commonalty of the Borough of Clognakilty.
Clonmel -	The Mayor, Free Burgesses and Commonalty of the Town of Clonmel.
Coleraine -	The Mayor, Aldermen and Burgesses of the Town of Coleraine.
Dingle -	The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-Conch.
Dundalk -	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
Dungannon -	The Provost, Free Burgesses and Commons of the Borough of Dungannon.
Ennis -	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
Enniscorthy -	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
Enniskillen -	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
Fethard -	The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fethard.
Gorey -	The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
Kells -	The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
Kinsale -	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
Longford -	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
Maryborough -	The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
Monaghan -	The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
Nans -	The Sovereign, Provost, Burgesses and Commonalty of Nans.
Navan -	The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
New Ross -	The Sovereign and Burgesses of New Ross.
Portlinton -	The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portlinton.
Sligo -	The Provost, Free Burgesses and Commonalty of the Borough of Sligo.
Strabane -	The Provost, Free Burgesses and Commonalty of the Town of Strabane.
Tulce -	The Provost, Free Burgesses and Commonalty of the Borough of Tulce.
Trim -	The Portreeve, Burgesses and Freemen of Trim.
Tusam -	The Sovereign, Free Burgesses and Commonalty of the Borough of Tusam.
Wexford -	The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
Wicklow -	The Portreeve, Free Burgesses and Commonalty of the Borough of Wicklow.
Youghal -	The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SCHEDULE (B.)

BOROUGH not to be divided into Wards.

CARRICKFERGUS.

SCHEDULE (C.)

SECTION I.

Armagh -	The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
Athlone -	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
Bandon -	The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
Carlow -	The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
Carrickfergus -	The Mayor, Sheriff, Burgesses and Commonalty of the Town of Carrickfergus.
Cashel -	The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
Colemaine -	The Mayor, Aldermen and Burgesses of the Town of Colemaine.
Dundalk -	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
Dungannon -	The Provost, Free Burgesses and Commons of the Borough of Dungannon.
Ennis -	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
Enniskillen -	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
Kinsale -	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
Naas -	The Sovereign, Provost, Burgesses and Commonalty of Naas.
New Ross -	The Sovereign and Burgesses of New Ross.
Portarlinton -	The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlinton.
Serabane -	The Provost, Free Burgesses and Commonalty of the Town of Serabane.
Tralee -	The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
Tuam -	The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.
Wexford -	The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
Wicklow -	The Portreeve, Free Burgesses and Commonalty of the Borough of Wicklow.
Youghal -	The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SECTION II.

Ardee -	The Portreeve, Burgesses and Commons of the Corporation of Ardee.
Athy -	The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
Bangor -	The Provost, Free Burgesses and Commonalty of the Borough of Bangor.
Belturbet -	The Provost, Free Burgesses and Commonalty of the Borough of Belturbet.
Boyle -	The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
Callan -	The Sovereign, Burgesses and Freemen of Callan.
Charleville -	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.
Cloghanilly -	The Sovereign, Free Burgesses and Commonalty of the Borough of Cloghanilly.
Dingle -	The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-Coach.
Eniscorthy -	The Portreeve, Free Burgesses and Commonalty of the Borough of Eniscorthy.
Featherd -	The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Featherd.
Gorey -	The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
Kells -	The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
Longford -	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
Maryborough -	The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
Mounaghan -	The Provost, Free Burgesses and Commonalty of the Borough of Mounaghan.
Navas -	The Portreeve, Burgesses and Freemen of the Town or Borough of Navas.
Trim -	The Portreeve, Burgesses and Freemen of Trim.

SCHEDULE (D.)

No. 1.

THE LIST OF BURGESSES of the Borough of _____
 [or in the Parish or Precinct or Ward of _____] in the
 Borough of _____

Christian Name and Surname of each Person at full length.	Street, Lane or other Place in this Borough, [or Parish, Precinct or Ward in this Borough,] where the Property is, respect whereof the Party is to be enrolled in this List.
Andrews, Peter - - - -	- No. 1, Green-street.
Brady, Thomas - - - -	- No. 3, White's-lane.

Dated the _____ day of _____ in the year
 (signed) A. B.

Churchwarden of the said Parish (or, Town Clerk of the
 said Borough, or Alderman of the said Ward, &c.)

No. 2.

NOTICE OF CLAIM.

To the Town Clerk of the Borough of _____

I HEREBY give you Notice, That I claim to have my Name enrolled in the Burgess Roll
 of the Borough of _____, and that I occupy [here describe the House, Ware-
 house, Counting-house or Shop then occupied by the Claimant.] in the said Borough, of
 the full yearly value of _____ Pounds or upwards, and that I have occupied the said
 Premises [or the said Premises or other Premises, describing such other Premises, within
 the said Borough,] for the space of _____ last past.

Dated the _____ day of _____ in the year
 (signed) Henry Stiles.

No. 3.

NATURE OF OBJECTION.

To the Town Clerk of the Borough of _____

I HEREBY give you Notice, That I object to the Name of Thomas Brady of White's-lane
 in this Borough [describe the person objected to as described in the List of the Church-
 wardens, Town Clerk or Alderman of the Ward, &c.] being retained on the Burgess Roll of
 the Borough of _____

Dated the _____ day of _____ in the year
 (signed) Michael Means, of [here state the Place of Abode and
 Property in respect of which he
 is said to be entitled to be en-
 rolled in the List of the Church-
 wardens, Town Clerk or Alder-
 man of the Ward, &c.]

No. 4.

LIST OF CLAIMANTS.

THE following Persons claim to have their Names inserted on the Burgess Roll of the Borough of

Christian Name and Surname of each Claimant.	Present Occupancy.	Former Occupancy, as stated in the Claim.
Henry Stiles - - -	-- House, No. 10, Capel-street.	-- Shop, No. 17, Henry-street, during the last month, and House, No. 6, Aston's Quay, during the five preceding months.

Dated the day of in the year
(signed) A. B., Town Clerk,

No. 5.

LIST OF PERSONS OBJECTED TO.

THE following Persons have been objected to as not being entitled to have their Names retained on the Burgess Roll of the Borough of

Christian Name and Surname of each Person objected to.	Property in respect of which he is said to be entitled to be entered in the List of the Churchwardens, Town Clerk or Aldermen of the Ward, &c.
Thomas Brady - - -	- No. 3, White's-lane.

Dated the day of in the year
(signed) A. B., Town Clerk.

SCHEDULE (E.)

BELFAST - - -	-- An Act for paving, cleansing and lighting and improving the several Streets, Squares, Lanes and Passages within the Town of Belfast, in the County of Antrim, and for removing and preventing all Encroachments, Obstructions and Annoyances therein; and also for establishing and maintaining a Nightly Watch throughout the said Town and Precincts thereof, and for other Purposes. [40 Geo. 3, c. 37.]
	-- An Act to explain and amend an Act of his present Majesty, for paving, cleansing, lighting and otherwise improving the Town of Belfast, in the County of Antrim, and for better effecting those Purposes. [56 Geo. 3, c. 57.]

- CORK** - - - -- An Act for the Regulation of the City of Cork, and for other Purposes therein mentioned relative to the said City. [12 Geo. 3, c. 18.]
- An Act for the better Regulation of the Police of the City of Cork, and for other Purposes relative to the said City. [17 & 18 Geo. 3, c. 38.]
- An Act for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City and Survey of the Liberties thereof; and for other Purposes relative to Grand Juries. [53 Geo. 3, c. 111.]
- An Act to explain and amend an Act of his present Majesty, for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City and Survey of the Liberties thereof; and for other Purposes relative to Grand Juries. [55 Geo. 3, c. 82.]
- DROGHEDA** - - -- An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the Misapplication of Public Money. [6 Geo. 1, c. 10.]
- An Act for continuing and amending an Act, intitled, "An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the Misapplication of Public Money;" and also for establishing a regular Watch in the City of Dublin; and to prevent Mischief which may happen by graving Ships in the River Liffey. [10 Geo. 1, c. 3.]
- An Act for continuing and amending an Act, intitled, "An Act for the better regulating the Parish Watches, and amending Highways in this Kingdom, and for preventing the Misapplication of Public Money; and also for establishing a regular Watch in the City of Dublin; and to prevent Mischief which may happen by graving in the River Liffey;" and also for regulating the Watch in the Town of Drogheda. [5 Geo. 3, c. 22.]
- LIMERICK** - - -- An Act for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick, and adjoining the said City, and for preventing and removing Nuisances therein. [47 Geo. 3, sess. 9, c. 75.]
- An Act for altering and enlarging the Powers of an Act of his present Majesty, for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick and adjoining the said City, and for preventing and removing Nuisances therein. [51 Geo. 3, c. 104.]
- LONDONDERRY** -- An Act for building a Bridge over the River Lough Foyle, at the City of Londonderry and the Suburbs thereof, and for certain Regulations relative to said City. [30 Geo. 3, c. 31.]
- An Act for amending an Act passed in the Thirtieth Year of his Majesty's Reign, intitled, "An Act for building a Bridge over Lough Foyle, at the City of Londonderry and the Suburbs thereof, and for certain Regulations relative to said City." [40 Geo. 3, c. 41.]
- An Act to amend Two Acts, so far as relate to supplying the City of Londonderry with Water, improving the Harbour of the said City, and the Regulation of Pilots and Vessels using the same; and for extending the Jurisdiction of the Court held in the said City for the Recovery of Small Debts. [48 Geo. 3, c. 135.]
- An Act for rebuilding or repairing a Bridge across the River Foyle or Lough Foyle at Londonderry; for enabling the Corporation of that City to raise Money for that purpose; to authorize the Advance of a certain Sum of Money out of the Consolidated Fund of Ireland; and for regulating the Fairs and Markets and improving the Race Course there. [54 Geo. 3, c. 230.]
- An Act to amend an Act of the Thirtieth Year of his late Majesty, for lighting and improving the City of Londonderry. [5 Geo. 4, c. 152.]
- An Act to amend several Acts relating to the City of Londonderry. [6 Geo. 4, c. 180.]

	-- An Act to make more effectual Provisions for lighting, cleansing and watching the City of Londonderry, and to amend several Acts relating to the said City. [2 & 3 Will. 4, c. 107.]
SLIGO - - -	-- An Act for repealing so much of an Act made in the Third Year of the Reign of King George the Second, intitled, "An Act for cleansing the Ports, Harbours and Rivers of the City of Cork, and of the Towns of Galway, Sligo, Drogheda and Belfast, and for erecting a Ballast Office in the said City and each of the said Towns, as relates to the Port and Harbour of the Town of Sligo;" and for repealing an Act made in the Fortieth Year of the Reign of his present Majesty, intitled, "An Act for paving, cleansing, lighting and improving the Streets, Quays, Lanes and Passages in the Town of Sligo, in the County of Sligo; for establishing a Nightly Watch in the said Town; for supplying the said Town with Pipe Water; and for improving and regulating the Port and Harbour thereof, and for making better Provision for the paving, lighting, watching, cleansing and improving of the said Town of Sligo; and for regulating the Porters and Carmen employed therein; and for the better Regulation and Improvement of the Port and Harbour thereof." [43 Geo. 3, c. 69.]
WATERFORD -	-- An Act for better regulating the Police of the City of Waterford. [23 & 24 Geo. 3, c. 32.]

SCHEDULE (F.)

No. 1.

FORM of PROCESS of ATTACHMENT of GOODS in COURT of RECORD.

Borough of L. to wit. A. B., of L., in Dec. [Name, Residence, and Address of Plaintiff.]
 Plaintiff.
 C. D., of L., in Dec. [Name, Residence, and Address of Defendant.]
 Defendant.

ATTACH the Defendant by his Goods and Chattels, if found within the jurisdiction of this Court, so that he be before the Recorder of the said Borough at _____ on _____ day, the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit in an Action for the sum of [here insert the amount of the demand], for [here insert the cause of Action]; and have you then there this Writ.

Dated this _____ day of _____ One thousand eight hundred _____

To _____ G. H., Registrar.

No. 2.

FORM of SUMMONS in COURT of CONSCIENCE.

Borough of— to wit—
 A. B. of, &c., in, &c. [Name,
 Residence, and Address of
 Plaintiff.]
 C. D., of, &c., in, &c. [Name,
 Residence, and Address of
 Defendant.]

By the Judge of the Court of Conscience for the said
 Borough: The Defendant is hereby required personally to appear
 before the said Judge at _____ on _____ day,
 the _____ day of _____ next after the
 date hereof, to answer the Plaintiff's Suit for the sum of [here
 insert the amount of the debt], for [here insert the particulars of the demand]. On default
 thereof the said Judge will proceed as to justice shall appertain.

Dated this _____ day of _____ One thousand eight hundred _____

Signed on behalf of the Plaintiff, }